CITY OF TEXARKANA

CITY COUNCIL

AGENDA ● OCTOBER 22, 2018

Council Chambers	Regular Meeting	6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

Mayor

Bob Bruggeman

Ward 1	Ward 3	Ward 5
Jean H. Matlock	Betty Williams	Bill Harp
Ward 2	**Ward 4**	**Ward 6**
Mary Hart	Christie Alcorn	Josh Davis

The City Council reserves the right to convene into closed session on any agenda item or issue should the need arise and if applicable pursuant to authorization by the Texas Open Meetings Act (Title 5, Chapter 551 of the Texas Government Code).

If the City Council convenes into closed session, they will reconvene in one hour or less to take any final action, decision, or vote on a matter deliberated in closed session.

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER JOSH DAVIS

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Tuesday, November 13, 2018 at 6:00 p.m.
Monday, November 26, 2018 at 6:00 p.m. - Council Members Swearing-In Ceremony
Monday, December 10, 2018 at 6:00p.m. - Last meeting of the year

Parks & Recreation Events:

October 25th	Movies in the Park - "The Town That Dreaded Sundown" *	Spring Lake Park
October 27th	Community Yard Sale/Electronics Recycle Day	Spring Lake Park
October 27th	Down Syndrome Awareness Walk	Spring Lake Park
November 3rd	Bark at the Park **10:00 a.m. to 3:00 p.m.**	Spring Lake Park - Next to Kylee Sullivan Dog Park

Movies in the Park start time: * At dusk

Additional Parks & Recreation events can be found on the city's website at <http://www.ci.texarkana.tx.us> or call (903) 798-3978 for more information.

Special Presentations

Texarkana Water Update - by Water Liaison Steve Mayo

Pro Bono Week - October 21-27, 2018

Appointments to Boards & Commissions

IV. ITEMS FOR CONSIDERATION

Consent Items

1. Consider approval of the minutes of the Regular Meeting of the City Council held on October 8, 2018 at 6:00 PM.

Open Forum: Comments from the public (Limit 5 minutes each)

Per Council rules adopted April 9, 2018, agenda items scheduled for a public hearing or which have already had a public hearing are not to be addressed at the "Open Forum".

Action Items

2. Resolution No. 2018-118 approving Bowie Central Appraisal District's 2018 tax roll.

   Public Hearing:
   Council Vote: October 22, 2018

3. Resolution No. 2018-119 adopting the City's investment policy.

   Public Hearing:
   Council Vote: October 22, 2018

4. Resolution No. 2018-121 approving and accepting a cash offer for sale "as is" of the city-owned real property at 3523 Galleria Oaks Drive.

   Public Hearing:
   Council Vote: October 22, 2018

5. Resolution No. 2018-123 approving the application for the Edward Byrne Justice Assistance Grant, providing a total grant in the amount of $23,250, where the City of Texarkana, Texas, will receive $13,950 and Bowie County, Texas, will receive $9,300.

   Public Hearing: October 22, 2018
   Council Vote: October 22, 2018

6. Ordinance No. 2018-125 amending the budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019 to include funds for the USDA Farmers' Market Promotion Program (FMPP) Grant.

   Public Hearing: October 22, 2018
   Council Vote: October 22, 2018

V. FIRST BRIEFINGS

1. Ordinance No. 2018-116 rezoning a 15-acre tract of land located in the L.T. King HRS, A-327, located on East Wallace Drive approximately 0.9 miles from Leopard Drive, Agriculture to Commercial. Clint Blakey, Big Horn Properties, II, owner. Vance Liles, MTG Engineers & Surveyors, agent.

   Public Hearing: November 13, 2018
   Council Vote: November 13, 2018

VI. PUBLIC HEARINGS

VII. ITEMS FOR DISCUSSION

Staff Updates - Texarkana Public Library - by Jennifer Strayhorn

VIII. ADMINISTRATIVE COMMENTS

1. City Council
2. City Staff

IX. CLOSED SESSION

The City Council will convene into closed session pursuant to Section 551.071 of the Texas Government Code for a private consultation with the City's legal counsel regarding fire collective bargaining and Section 551.074 (Personnel Matters) to discuss or deliberate the City Manager's contract, evaluation, duties, goals, and performance review.

X. RECONVENE INTO OPEN SESSION

XI. ADJOURNMENT

Jennifer Evans
City Secretary

This open meeting of a governmental entity is subject to the Texas Open Meetings Act (Chapter 551, Government Code). The "Council Chambers" is the room or property where the City Council will hold this meeting.

Pursuant to Section 46.035(c), Penal Code (unlawful carrying of handgun by license holder), a license holder commits an offense if the license holder intentionally, knowingly, or recklessly carries a handgun under the authority of Subchapter H, Chapter 411, Government Code, regardless of whether the handgun is concealed or carried in a shoulder or belt holster, in the room or rooms where a meeting of a governmental entity is held and if the meeting is an open meeting subject to Chapter 551, Government Code, and the entity provided notice as required by that chapter.

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun.

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.

This meeting is being conducted in accordance with the Americans with Disabilities Act [42 USC 12101 (1991)]. The facility is wheelchair accessible and handicap parking is available. Requests for sign interpretive services are available upon requests received at least 48 hours prior to the meeting. To make arrangements for these services, please call 903.798.3917, Personnel or (TDD) 1.800.RELAY.TX (1.800.735.2989).

City of Texarkana, Texas

Version:
Update Date: 10/10/2018 8:19 AM

Briefing Sheet

Lead Department: City Manager **Action Officer:** Jennifer Evans, City Secretary

Subject: Pro Bono Week - October 21-27, 2018

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

None

Potential Options:

- None
-

Fiscal Implications:

N/A

Staff Recommendation:

For the Mayor to proclaim October 21 – 27, 2018 as Pro Bono Week in Texarkana, Texas.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

CITY OF TEXARKANA

CITY COUNCIL

MINUTES • OCTOBER 8, 2018

Council Chambers	Regular Meeting	6:00 PM

220 TEXAS BLVD.
TEXARKANA, TX 75501

I. CALL TO ORDER, ROLL CALL, ESTABLISHMENT OF QUORUM

ee Name	Title	Status	Arrived
ggeman	Mayor	Present	
Matlock	Ward 1	Present	
art	Ward 2	Present	
'illiams	Ward 3	Present	
Alcorn	Ward 4	Present	
p	Ward 5	Present	
vis	Ward 6	Present	

Staff Present: City Manager Shirley Jaster, Jennifer Evans, Sherry Jackson Hawkins, Kyle Dooley, Kristin Peeples, Dusty Henslee, Robby Robertson, Lisa Thompson, J.D. Phillips, and Karey Parker.

Legal Counsel: Jeff Lewis.

II. INVOCATION AND PLEDGE BY COUNCIL MEMBER BILL HARP

III. MAYOR'S REMARKS AND ITEMS OF COMMUNITY INTEREST

Upcoming City Council Meetings:

Monday, October 22, 2018 at 6:00 p.m.
Tuesday, November 13, 2018 at 6:00 p.m.
Monday, November 26, 2018 at 6:00 p.m. - Council Members Swearing-In Ceremony
Monday, December 10, 2018 at 6:00p.m. - Last meeting of the year

Parks & Recreation Events:

October 11th	Movies in the Park - "A Wrinkle in Time" *	Spring Lake Park
October 13th	Softball Showcase Tournament	Wallace Park
October 18th	Fall Festival	Spring Lake Park
October 18th	Movies in the Park - "Hotel Transylvania 3" **	Spring Lake Park
October 20th	Softball Tournament	Karrh Park

November 3rd Bark at the Park **10:00 a.m. to 3:00 p.m.** Spring Lake Park - Next to Kylee Sullivan Dog Park

Movies in the Park start times: * At dusk ** Following Fall Festival

Additional Parks & Recreation events can be found on the city's website at <http://www.ci.texarkana.tx.us> or call (903) 798-3978 for more information.

Mayor Bruggeman said there were three special guests in the audience. Council Member Davis introduced his daughter Laura and two of her classmates, Mary and Hannah. All three students attend Pleasant Grove High School and were attending the meeting for a government class assignment.

The Burt Reynolds Memorial Event, held on September 29th & 30th, had a huge and exciting turnout. Both city mayors attended and presented a joint proclamation. Many activities were held in celebration of the movie "Smokey and the Bandit", which was shown on Saturday afternoon. On Sunday, 16 tractor-trailer trucks left Texarkana heading to Atlanta, Georgia in tribute to the movie. The Mayor thanked both city police departments for their assistance with the exit of the convoy.

Council Member Matlock was wished a belated Happy Birthday!

Main Street Texarkana was very successful in hosting the "Dine on the Line" event this year. It was well attended and everyone enjoyed themselves with great food and good music.

Four States Living Magazine is celebrating its 25th year anniversary in publication. The September 2018 issue featured a special section displaying the various covers of the magazine over the last 25 years. Congratulations were given to Dr. Robin Rogers, publisher of the magazine, for showcasing people and highlighting events in the Texarkana community.

National Night Out, held on Tuesday October 2nd, was another well-supported event in the community. Mayor Bruggeman had the privilege of attending several block parties throughout the evening. He thanked the hosts and city staff for their support of the annual event.

Special Presentation

Texarkana Water Update - by Water Liaison Steve Mayo

**Mr. Mayo had a conflict and was not able to attend the meeting. This presentation was postponed to the next council meeting scheduled for October 22nd.

Appointments to Boards & Commissions

There were no appointments were made to any board or commission. Mayor Bruggeman said the Housing Authority board has a resident commissioner vacancy. He is working with HATT Executive Director Antonio Williams to fill the vacancy.

IV. ITEMS FOR CONSIDERATION

Consent Items

(6:22 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Mary Hart, Ward 2
SECONDER:	Jean H. Matlock, Ward 1
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

1. Consider approval of the minutes of the Regular Meeting of the City Council held on September 24, 2018 at 6:00 PM.

2. Resolution No. 2018-113 authorizing City Manager to enter into a contract for the 42-inch water main painting on the Red River Bridge in an amount, with the Texas portion, not to exceed $49,933.95 and the total amount not to exceed $79,500.00.

   Public Hearing:
   Council Vote: October 8, 2018

3. Resolution No. 2018-114 authorizing the City Manager to enter into a contract for the Wright Patman Water Treatment Plant Filter Basin Troughs in an amount not to exceed $178,220.

   Public Hearing:
   Council Vote: October 8, 2018

4. Resolution No. 2018-115 authorizing the City Manager to enter into a contract for the Millwood WTP - Valve Replacement Project in an amount, with the Texas portion, not to exceed $147,703.37 and the total amount not to exceed $235,159.00.

   Public Hearing:
   Council Vote: October 8, 2018

Open Forum: Comments from the public (Limit 5 minutes each)

There were no public comments made at Open Forum.

Action Items

5. Resolution No. 2018-117 providing for the redemption of certain outstanding "City of Texarkana, Texas General Obligation Refunding Bonds, Series 2012", and authorizing the City Manager to sign an escrow agreement with U.S. Bank National Association, as escrow agent, and to deposit an amount not to exceed $5,160,000.00 into the escrow fund to pay and defease such bonds.

   Public Hearing:
   Council Vote: October 8, 2018

   Kristin Peeples shared background information regarding this agenda item and the cost savings proposed in this resolution.

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Josh Davis, Ward 6
SECONDER:	Bill Harp, Ward 5
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

V. FIRST BRIEFINGS - NONE

VI. PUBLIC HEARINGS - NONE

VII. ITEMS FOR DISCUSSION

Staff Updates - Texarkana Convention Center by Lisa Thompson

The Military Affairs Committee received two generous donations, in the amount of $25,000 each, provided by the City of New Boston, Texas and Red River Credit Union in support of military affairs in the community.

Texarkana Convention Center staff has worked tirelessly hosting many events from May through September of this year. Gatherings with over 100 attendees included:

Softball Showcase (June)
Hail & Farewell for RRAD (July)
FoxSports 5th Annual Fanfest (August)
Arklatex ComicCon (September)
Burt Reynolds Memorial Event (September)

City staff is very pleased in partnering with Jennifer Montoya and convention center staff. Mayor Bruggeman thanked Ms. Montoya for the great effort made in hosting events throughout the year.

VIII. ADMINISTRATIVE COMMENTS

1. City Council

   Council Member Harp thanked the City Manager, Deputy City Manager and Finance Director for paying off the 2012 GO Refunding Bond early which is saving a huge amount of taxpayer dollars.

   Council Member Matlock thanked city staff who attended and supported National Night Out in her ward.

   Mayor Bruggeman thanked the City Secretary for her efforts in taking care of business matters and appointments pertaining to the Mayor's office and his duties.

2. City Staff

   City Manager Jaster thanked the council for approving the 2019 fiscal year budget which staff has already implemented in the first month of the new business year. She also thanked the council for its support in approving the well-deserved salary increases for all city staff.

IX. ADJOURNMENT

A motion was made to adjourn the meeting.
(6:33 p.m.)

RESULT:	**ADOPTED [UNANIMOUS]**
MOVER:	Jean H. Matlock, Ward 1
SECONDER:	Betty Williams, Ward 3
AYES:	Matlock, Hart, Williams, Alcorn, Harp, Davis
EXCUSED:	Bruggeman

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/15/2018 1:32 PM

Lead Department: Finance Department **Action Officer:** Jodie Lee, Assistant CFO

Subject: Resolution No. 2018-118 approving Bowie Central Appraisal District's 2018 tax roll.

Briefing: 10/22/2018 **Public Hearing:** **Council Vote:** 10/22/2018

Item Schedule
Schedule 2: Brief once - vote once (two weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

Bowie Central Appraisal District has completed and presented the City's 2018 tax roll for the City, TIRZ District No. 1 and TIRZ District No. 2. This roll, as presented, needs to be approved by signature of the City Council, and returned to the Appraisal District.

Potential Options:

- Approve
- Deny

Fiscal Implications:

Collections by Bowie Central Appraisal District from the approved tax roll provide funds needed for the operating budget for fiscal year ending September 30, 2019.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

NOT APPLICABLE

Attachments

a. 2018-118 RES Approving 2018 Tax Roll (DOC)
b. 2018-118 EXH A 2018 Tax Roll (PDF)

City of Texarkana, Texas

c. 2018-118 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department Kristin Peeples Department Head Review Completed
10/09/2018 12:31 PM
Deputy City Manager - Kyle Dooley Kyle Dooley Deputy City Manager
Review Completed 10/12/2018 3:52 PM
Public Information Officer Lisa Thompson PIO Review Completed
10/12/2018 4:18 PM
City Manager Shirley Jaster City Manager Review Completed 10/15/2018
1:23 PM
City Council Vicky Coopwood Meeting Pending 10/22/2018
6:00 PM

Meeting History

RESOLUTION NO. 2018-118

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE BOWIE CENTRAL APPRAISAL DISTRICT 2018 TAX ROLL FOR THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Bowie Central Appraisal District has completed the 2018 Tax Roll; and

WHEREAS, it is recommended by the Finance Department that the 2018 Tax Roll for the City of Texarkana, Texas, be approved as presented.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the 2018 Tax Roll for the City of Texarkana, Texas, as prepared and presented by the Bowie Central Appraisal District, is hereby approved. Copies of the City of Texarkana, Texas, 2018 Tax Roll are attached hereto and incorporated herein as **Exhibit "A".**

SECTION 2: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **22nd day of October, 2018**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

BCAD

BCAD
122 Plaza West Suite A
Texarkana, TX 75505

PHONE 903-793-8936
FAX 903-792-8889

October 2, 2018

CITY OF TEXARKANA
P O BOX 1967
TEXARKANA, TX 75504-1967

Enclosed is a copy of your 2018 Tax Roll. Please have it signed and return it to our office at your earliest convenience.

Sincerely,

Kim Kinder
Director of Collections

2018-118 EXH "A"

CITY OF TEXARKKANA

2018 TAX ROLL

TOTAL TAXABLE VALUE	2,202,237,871
GROSS TAX LEVY	$15,415,672.25
LESS TAX ON FROZEN ITEMS	$2,041,845.22
PLUS FROZEN TAXES	$1,520,728.61
PLUS LATE PENALTY GAIN	$50,018.96
TOTAL TAX LEVY	$14,944,574.60

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN ______________________________

MEMBER JEAN MATLOCK ______________________________

MEMBER , MARY HART ______________________________

MEMBER , BETTY WILLIAMS ______________________________

MEMBER , CHRISTIE MURRAY-ALCORN ______________________________

MEMBER JOSH DAVIS ______________________________

MEMBER, BILL HARP ______________________________

APPROVED THE __________ DAY OF ________________________ 2018

CITY OF TEXARKKANA T1

2018 TAX ROLL

TOTAL TAXABLE VALUE	346,800,899
GROSS TAX LEVY	$2,427,606.48
LESS TAX ON FROZEN ITEMS	$16,321.23
PLUS FROZEN TAXES	$10,309.74
PLUS LATE PENALTY GAIN	$0.00
TOTAL TAX LEVY	$2,421,594.99

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN ______________________________

MEMBER JEAN MATLOCK ______________________________

MEMBER , MARY HART ______________________________

MEMBER , BETTY WILLIAMS ______________________________

MEMBER , CHRISTIE MURRAY-ALCORN ______________________________

MEMBER JOSH DAVIS ______________________________

MEMBER, BILL HARP ______________________________

APPROVED THE __________ DAY OF ________________________ 2018

CITY OF TEXARKKANA T2

2018 TAX ROLL

TOTAL TAXABLE VALUE	55,474,541
GROSS TAX LEVY	$388,321.93
LESS TAX ON FROZEN ITEMS	$4,162.46
PLUS FROZEN TAXES	$3,126.47
PLUS LATE PENALTY GAIN	$0.00
TOTAL TAX LEVY	$387,285.94

COUNCIL MEMBERS :

MAYOR , BOB BRUGGEMAN ______________________

MEMBER JEAN MATLOCK ______________________

MEMBER , MARY HART ______________________

MEMBER , BETTY WILLIAMS ______________________

MEMBER , CHRISTIE MURRAY-ALCORN ______________________

MEMBER JOSH DAVIS ______________________

MEMBER, BILL HARP ______________________

APPROVED THE __________ DAY OF ______________________ 2018

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
	☐	Provide a Safe Community
	☐	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	☐	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
	☐	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☑	Maintain Fiscal Strength
	☑	Maximize Utilization & Resources
	☐	Invest in Infrastructure & Transportation
Develop Personnel	☐	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	No Additional

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2018-118 Goals & Perspectives (1945 : 2018-118 RES Approving 2018 Tax Roll)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/15/2018 1:32 PM

Lead Department: Finance Department **Action Officer:** Jodie Lee, Assistant CFO

Subject: Resolution No. 2018-119 adopting the City's investment policy.

Briefing: 10/22/2018 **Public Hearing:** **Council Vote:** 10/22/2018

Item Schedule
Schedule 2: Brief once - vote once (two weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

The Public Funds Investment Act, as amended, requires the City to annually adopt an investment policy and investment strategies. The attached Exhibit A complies with the Public Funds Investment Act, and authorizes investment of City funds in safe and prudent investments. The City's investment consultant, Valley View Consulting, LLC, has assisted staff with this policy and verified that it complies with state requirements. There are no proposed changes to the existing policy.

Potential Options:

- Approve the policy as recommended
- Reject the policy and recommend an alternative policy

Fiscal Implications:

Allows placement of available funds in safe and prudent investments, providing additional usable resources to the City.

Staff Recommendation:

Staff recommends approval.

Advisory Board/Committee Review:

Investment Committee consisting of the Mayor, City CFO, City ACFO, TWU Finance Director, and TWU Account Manager.

Board/Committee Recommendation:

Investment Committee recommends approval.

Advisory Board/Committee Meeting Date and Minutes:

City of Texarkana, Texas

Investment Committee minutes dated August 8, 2018 are attached.

Attachments

a. 2018-119 RES Adopting City's Investment Policy (DOC)
b. 2018-119 EXH A Investment Policy (DOC)
c. 2018-119 ATTH 01 Investment Committee Meeting Minutes 08.08.2018 (DOCX)
d. 2018-119 Goals & Perspectives (DOCX)

Staff Coordination

Finance Department Kristin Peeples Department Head Review Completed 10/09/2018 2:05 PM
Deputy City Manager - Kyle Dooley Kyle Dooley Deputy City Manager Review Completed 10/14/2018 3:46 PM
Public Information Officer Lisa Thompson PIO Review Completed 10/15/2018 2:08 PM
City Manager Shirley Jaster City Manager Review Completed 10/15/2018 2:13 PM
City Council Vicky Coopwood Meeting Pending 10/22/2018 6:00 PM

Meeting History

RESOLUTION NO. 2018-119

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE CITY'S INVESTMENT POLICY; RECORDING THE ANNUAL REVIEW; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Public Funds Investment Act, as amended, requires the City to annually adopt an investment policy and investment strategies by rule, order, ordinance, or resolution; and

WHEREAS, the attached **Exhibit "A"** investment policy complies with the current Public Funds Investment Act, as amended, and authorizes the investment of City funds in safe and prudent investments.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: The facts and recitations contained in the above preamble of this Resolution are hereby incorporated herein for all purposes.

SECTION 2: The City Council of the City of Texarkana, Texas, approves the investment policy and investment strategy **(Exhibit "A")**.

SECTION 3: The City Council of the City of Texarkana, Texas, has performed an annual review of the investment policy and strategies and adopts its statements in the minutes recording that review.

SECTION 4: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **22nd day of October 2018**.

ATTEST:

____________________________	____________________________
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

CITY OF TEXARKANA, TEXAS

INVESTMENT POLICY

CITY OF TEXARKANA, TEXAS

TABLE OF CONTENTS

INTRODUCTION

The purpose of this document is to set forth specific investment policy and strategy guidelines for the City of Texarkana, Texas (the "City") in order to achieve the goals of safety, liquidity, public trust, and yield for all investment activity. The City Council of the City shall review and adopt, by resolution, its investment strategies and policy not less than annually. The resolution shall include a record of changes made to either the Investment Policy or strategy. This Policy serves to satisfy the statutory requirement, specifically the Public Funds Investment Act and Public Funds Collateral Act, Texas Government Code Chapter 2256 and Chapter 2257(the "PFIA" and "PFCA" respectively) to define, adopt, and review a formal investment strategy and policy.

INVESTMENT STRATEGY

The City maintains two distinct portfolios (the City and the Water Utilities Department), which independently utilize four specific investment strategy considerations, designed to address the unique characteristics of the fund groups represented in the portfolios:

A. Investment strategies for operating funds and combined pools containing operating funds have as their primary objectives to preserve principal and assure that anticipated cash flows are matched with adequate investment liquidity. The secondary objective is to create a portfolio structure, which will experience minimal volatility during economic cycles. This may be accomplished by maintaining adequate liquid balances and utilizing high quality, short-to-medium term investments, which will complement each other in a laddered or barbell maturity structure, and can be easily liquidated if the need arises. Any investment authorized by this Policy is suitable for these funds. The dollar weighted average maturity of 365 days or less will be calculated using the stated final maturity date of each investment. The maximum stated final maturity shall be three years. The yield objective shall be a comparable maturity rolling Treasury portfolio.

B. Investment strategies for debt service funds shall have as the primary objectives the preservation of principal and the assurance of investment liquidity adequate to cover the debt service obligation on the required payment date. Investments purchased shall not have a stated final maturity date which exceeds the next unfunded debt service payment date. Any investment authorized by this Policy is suitable for these funds. The yield objective shall be a short-term, government portfolio local government pool.

C. Investment strategies for debt service reserve funds shall have as the primary objectives to preserve principal and to generate a dependable revenue stream to the appropriate debt service fund from investments with a low degree of volatility. Investments shall be of high quality and, except as may be required by the bond ordinance specific to an individual issue, of short-to-intermediate term maturities. Maximum maturity shall be the shorter of the first call date or five years. Volatility shall be further controlled through the purchase of securities carrying the highest coupon available, within the desired maturity and quality range, without paying a premium, if at all possible. Any investment authorized by this Policy is suitable for these funds. The yield objective shall be a comparable maturity rolling Treasury portfolio.

D. Investment strategies for special projects or special purpose fund portfolios will have as their primary objectives to preserve principal and to assure that anticipated cash flows are matched with adequate investment liquidity. These portfolios should include at least 10% in cash equivalent investments to allow for flexibility and unanticipated project outlays, and by utilizing high quality, short-to-medium term investments, which will complement each other in a laddered or barbell maturity structure, and can be easily liquidated if the need arises. Any investment authorized by this Policy is suitable for these funds. The stated final maturity dates of securities held should not exceed the estimated project completion date. The yield objective shall be a comparable maturity rolling Treasury portfolio.

INVESTMENT POLICY

A. SCOPE

This Investment Policy applies to all financial assets of the City including the Water Utilities Department. These funds are accounted for in the City's Comprehensive Annual Financial Report (CAFR) and include:

- General Fund
- Special Revenue Funds
- Debt Service Funds
- Capital Projects Funds
- Proprietary Funds
- All Other Funds

This Policy shall not govern the Firemen's Relief and Pension Fund which is under the management and supervision of the City of Texarkana, Texas Firemen's Relief and Pension Fund Board of Trustees.

B. OBJECTIVES

The City shall manage and invest its cash with four objectives, listed in order of priority: Safety, Liquidity, Public Trust, and Yield. The safety of the principal invested always remains the primary objective. All investments shall be designed and managed in a manner responsive to the public trust and consistent with State and Local law.

The City shall maintain a comprehensive cash management program which includes collection of accounts receivable, vendor payment in accordance with invoice terms, and prudent investment of available cash. Cash management is defined as the process of managing monies in order to ensure maximum cash availability and maximum yield on short-term investment of pooled idle cash.

1. Safety

The primary objective of the City's investment activity is the preservation of principal in the overall portfolio. Each investment transaction shall be conducted in a manner to avoid principal losses, whether from investment defaults or erosion of market value.

2. Liquidity

The City's investment portfolio shall be structured such that the City is able to meet all obligations in a timely manner. This shall be achieved by maintaining adequate cash equivalent balances, matching investment maturities with forecasted cash flow requirements, and by investing in securities with active secondary markets.

3. Public Trust

All participants in the City's investment process shall seek to act responsibly as custodians of the public trust. Investment Officers shall avoid any transaction which might impair public confidence in the City's ability to govern effectively.

4. Yield

The City's cash management portfolio shall seek to augment returns above this threshold consistent with risk limitations identified herein and prudent investment policies.

C. RESPONSIBILITY AND CONTROL

1. Investment Committee

An Investment Committee, consisting of one City Council Member appointed by the Mayor, Chief Financial Officer (City), Director of Finance (Water Utilities Department), Accounting/Human Resources Manager (Water Utilities Department), and Assistant Chief Financial Officer (City) shall meet as needed to determine operational strategies and to monitor results. The Investment Committee shall include in its deliberation such topics as: performance reports, economic outlook, portfolio diversification, maturity structure, potential risk to the City's funds, authorized broker/dealers, eligible investment training sources, and the target rate of return on the investment portfolio.

2. Delegation of Authority and Training

Authority to manage the City's investment program is derived from the City Charter. The Chief Financial Officer and Assistant Chief Financial Officer are designated as Investment Officers and are responsible for investment decisions and activities for the City portfolio. The Director of Finance and Accounting/Human Resources Manager are designated as Investment Officers and are responsible for investment decisions and activities for the Water Utilities Department portfolio. The Chief Financial Officer and Director of Finance shall establish written procedures for the operation of their respective investment program, consistent with this Investment Policy. In order to ensure qualified and capable investment management, the Investment Officers shall attend training sessions relating to the Officer's responsibility under the PFIA within 12 months after assuming duties and receive at least 10 hours of training, and additional training sessions not less than once every two year period that begins on the first day of the City's fiscal year and consists of the two consecutive fiscal years after that date and receive at least 8 hours of training. Independent sources for such training shall be approved by the Investment Committee.

3. Internal Controls

The Chief Financial Officer and Director of Finance, or their respective designee, are responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived; and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the Chief Financial Officer and Director of Finance shall establish a process for annual independent review by an external auditor in conjunction with the annual audit, to assure compliance with policies and procedures. The internal controls shall address the following points:

A. Control of collusion.
B. Separation of transaction authority from accounting and record keeping.
C. Custodial safekeeping.
D. Avoidance of physical delivery securities.
E. Clear delegation of authority to subordinate staff members.
F. Written confirmation for telephone (voice) transactions for investments and wire transfers.

4. Prudence

The standard of prudence to be applied by the Investment Officers shall be the "prudent person" rule, which states: "Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital, as well as the probable income to be derived." In determining whether an Investment Officer has exercised prudence with respect to an investment decision, the determination shall be made taking into consideration:

A. The investment of all funds, or funds under the City's control, over which the Officer had responsibility rather than a consideration as to the prudence of a single investment.

B. Whether the investment decision was consistent with the written Investment Policy of the City.

An Investment Officer, acting in accordance with written procedures and exercising due diligence, shall not be held personally responsible for a specific investment's credit risk or market price changes, provided that these deviations are reported immediately and that appropriate action is taken to control adverse developments.

5. Ethics and Conflicts of Interest

Investment Officers shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. Investment Officers shall disclose to the City Manager any material financial interest in financial institutions that conduct business with the City and they shall further disclose positions that could be related to the performance of the City's portfolio. Investment Officers shall subordinate their personal financial transactions to those of the City, particularly with regard to timing of purchases and sales.

An Investment Officer of the City who has a personal business relationship with an organization seeking to sell an investment to the City shall file a statement disclosing that personal business interest. An Investment Officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement disclosing that relationship. A statement required under this subsection must be filed with the Texas Ethics Commission and the City Council.

D. REPORTING

1. Quarterly Reporting

The Chief Financial Officer shall submit a quarterly investment report in compliance with the PFIA and signed by all Investment Officers.

2. Annual Report

Within a reasonable time after the end of the fiscal year, the Chief Financial Officer shall present an annual report on the investment program and investment activity. This report may be presented as a component of the fourth quarter report to the City Manager and City Council.

3. Methods

The quarterly investment report shall include a succinct management summary that provides a clear picture of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner which will allow the City to ascertain whether investment activities during the reporting period have conformed to the Investment Policy. The report will be prepared in compliance with the PFIA. The report will be provided to the City Manager and City Council. The report will include the following:

A. A listing of individual investments held at the end of the reporting period. This list will include the name of the fund or pooled group fund for which each individual investment was acquired.

B. Unrealized gains or losses resulting from appreciation or depreciation by listing the beginning and ending book and market value of securities for the period. Market values shall be obtained from financial institutions or portfolio reporting services independent from the investment provider.

C. Additions and changes to the market value during the period.

D. Fully accrued interest for the reporting period.

E. Average weighted yield to maturity of portfolio on City investments as compared to applicable benchmarks.

F. Listing of investments by maturity date.

G. The percentage of the total portfolio which each type of investment represents.

H. Statement of compliance of the City's investment portfolio with State Law and the Investment Strategy and Policy approved by the City Council.

In conjunction with the annual audit, a formal annual review of these reports will be performed by an independent auditor with the results reported to the City Council as part of the overall audit report.

E. INVESTMENT PORTFOLIO

1. Active Portfolio Management

The City shall pursue an active versus a passive portfolio management philosophy. That is, investments may be sold or redeemed before they mature if market conditions present an opportunity for the City to benefit from the trade. The Investment Officers will routinely monitor the contents of the portfolio, the available markets, and the relative value of competing instruments, and will adjust the portfolio accordingly.

2. Performance

It is the City's policy to purchase investments with maturity dates coinciding with cash flow requirements. Using this strategy, the City attempts to purchase the highest yielding allowable investments available at the time of purchase. The City shall encourage a competitive environment for all investment activities including investment pool and mutual fund selections, financial institution deposit placements, securities transactions, and other investment-related proceedings. Weighted-average-yield-to-maturity shall be the portfolio's performance measurement standard.

3. Investments

Assets of the City may be invested in the following instruments; provided, however, that at no time shall assets of the City be invested in any instrument or security not authorized at the time of purchase for investment under the PFIA, as the PFIA may from time to time be amended. The City is not required to liquidate investments that were authorized investments at the time of purchase. All prudent measures will be taken to liquidate an investment that is downgraded to less than the required minimum rating.

a). Authorized

1. Obligations issued, guaranteed, or insured by the United States of America, its agencies and instrumentalities, which have a liquid market with a readily determinable market value, including the Federal Home Loan Banks.

2. Direct obligations of the State of Texas, its agencies and instrumentalities.

3. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of this State or the United States or their respective agencies and instrumentalities, including obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States.

4. Obligations of the States, agencies thereof, Counties, Cities, and other political subdivision of any state having been rated as investment quality by a nationally recognized investment rating firm, and having received a rating of not less than “A” or its equivalent.

5. Certificates of Deposit, and other forms of deposit, of state and national banks, savings banks, or state or federal credit unions that has a main or branch office in Texas, guaranteed or insured by the Federal Deposit Insurance Corporation (or its successor) or the National Credit Union Share Insurance Fund (or its successor), or secured by obligations described in G. 3. Collateral Defined, or as authorized by the PFIA. Bids/quotes for certificates of deposit may be

solicited in the following ways: orally, in writing, electronically, or in any combination of the above methods.

6. Fully collateralized direct repurchase agreements with a defined termination date secured by cash or obligations of the United States or its agencies and instrumentalities. Securities purchased must be pledged to the City, held in the City's account, and deposited at the time of the investment with the City, and placed through a primary government securities dealer, as defined by the Federal Reserve, or a financial institution doing business in Texas. Such agreements may include direct security repurchase agreements and reverse security repurchase agreements with terms of 90 days or less after the delivery date. Funds received by the City under a reverse security agreement shall be used to acquire additional authorized investments, but those investments must mature no later than the expiration date stated in the reverse security repurchase agreement.

7. Local Government Investment Pools, if the pool is specifically approved by the Council and the pool invests only in investments authorized by the PFIA. A pool must be continuously rated no lower than AAA or AAA-m or at an equivalent rating by at least one nationally recognized rating service. In order to be eligible to receive City funds a pool must comply with all PFIA requirements.

8. "Money Market" mutual funds that have a rating of AAA by at least one nationally recognized rating firm and are "no-load" funds. A "money market" mutual fund must maintain a $1.0000 share value and include only short-term, highly liquid, and relatively low risk debt instruments. Must be registered with and regulated by the Securities and Exchange Commission. The City cannot own more than 10% of the mutual fund's total assets.

9. Guaranteed Investment contracts are allowed investments for bond proceeds only, if such contracts have a defined termination date, are secured by U.S. Government direct or agency obligations approved by the PFIA, in an amount equal to the bond proceeds, if security is pledged to the City and deposited with the City or a third party, and if the investment term is limited to five years from the date of bond issuance. In addition, specific provisions under PFIA Section 2256.015(c) 1-5 must be met to allow investment in these contracts.

b. Not Authorized

The City's authorized investment options are more restrictive than those allowed by State law. State law specifically prohibits investment in the following investment securities, or investment in specific instruments at levels higher than those listed below:

1) Obligations whose payment represents the coupon payments on the outstanding principal balance of the underlying mortgage-backed security collateral and pays no principal.

2) Obligations whose payment represents the principal stream of cash flow from the underlying mortgage-backed security collateral and bears no interest.

3) Collateralized mortgage obligations that have a stated final maturity date of greater than 10 years.

4) Collateralized mortgage obligations the interest rate of which is determined by an index that adjusts opposite to the changes in a market index.

4. Holding Period

The City intends to match the holding periods of investment funds with liquidity needs of the City.

5. Risk and Diversification

The City recognizes that investment risks can result from issuer defaults, market price changes or various technical complications leading to temporary illiquidity. Risk is controlled through portfolio diversification which shall be achieved by the following general guidelines:

a) Risk of issuer default is controlled by limiting investments to those instruments allowed by the PFIA, which are described herein.

b) Risk of market price changes shall be controlled by avoiding over-concentration of assets in a specific maturity sector, maintenance of adequate liquidity, and limitation of appropriate average maturity.

c) Risk of temporary illiquidity shall be controlled by monitoring the rating of each issuer, as applicable, at least quarterly, and taking all prudent measures that are consistent with this Policy to liquidate an investment that does not have the minimum rating.

F. SELECTION OF FINANCIAL INSTITUTIONS AND BROKER/DEALERS

1. Depository

In compliance with State legislation, a Primary Depository shall be selected through the City's banking services procurement process, which shall include a formal request for application (RFA). In selecting a Primary Depository, the credit worthiness of institutions shall be considered, and the Chief Financial Officer shall conduct a comprehensive review of prospective depositories' credit characteristics and financial history. In addition, the City may establish non-primary banking relationships based on deposit and unique service capabilities.

Institutions seeking to establish eligibility for the City's depository shall submit for review financial statements, evidence of federal insurance and other information as required by the Chief Financial Officer.

Any institution designated as a depository by the City will provide collateral in accordance with this Policy and applicable State law. The City reserves the right, in its sole discretion, to accept or reject any form of insurance or collateralization pledged towards depository deposits. Institutions serving as a depository will be required to sign a Depository/Collateral Agreement with the City. The collateralized deposit portion of the Agreement shall define the City's rights to the collateral in case of default, bankruptcy, or closing and shall establish a perfected security interest in compliance with Federal and State regulations, including:

- The agreement must be in writing;
- The agreement has to be executed by the Depository and the City contemporaneously with the acquisition of the asset;
- The agreement must be approved by the Board of Directors or designated committee of the Depository and a copy of the meeting minutes must be delivered to the City; and
- The agreement must be part of the Depository's "official record" continuously since its execution.

2. Broker/Dealers

For broker/dealers, the City shall select only those dealers reporting to the Market Reports Division of the Federal Reserve Board of New York, also known as the "Primary Government Security Dealers", unless analysis reveals that other firms are adequately financed to conduct public business. All broker/dealers shall provide the City with references from public entities which they are currently serving. The Investment Committee shall adopt and annually review a list of qualified broker/dealers authorized to engage in investment transactions with the City.

All investment providers, financial institutions and broker/dealers who desire to become qualified bidders for investment transactions must supply the following, as appropriate:

- audited financial statements
- proof of Financial Industry Regulatory Authority (FINRA) certification
- proof of state registration

Additionally, the qualified representative or equivalent of the Local Government Investment Pool or discretionary Investment Advisor firm (i.e. business organization) shall execute a Certificate to the effect that the qualified representative has:

1.) Received and thoroughly reviewed this Investment Policy, and

2.) Acknowledged that their business organization has implemented reasonable procedures and controls in an effort to preclude imprudent investment transactions between itself and the City that are not authorized by this Investment Policy, except to the extent that this authorization is dependent on an analysis of the makeup of the City's entire portfolio, requires and interpretation of subjective investment standards or relates to investment transactions of the City that are not made through accounts, or other contractual arrangements over which the business organization has accepted discretionary investment authority.

The City may not engage in an investment transaction with a business organization prior to receiving this written acknowledgment completed by the organization.

G. SAFEKEEPING AND CUSTODY

1. Insurance or Collateral

All non-insured deposits and repurchase agreement investments of City funds shall be secured as required by State legislation. In order to anticipate market changes and provide a level of security for all funds, the minimum collateralization level will be 102% of market value of principal plus accrued interest on the deposits or repurchase agreement investments less any amount insured. Evidence of the pledged collateral shall be maintained by the Chief Financial Officer or Director or Finance (for their respective portfolios), or a third party financial institution. Repurchase agreements shall be documented by a specific agreement noting the eligible collateral pledge in each agreement. Collateral shall be reviewed at least monthly to assure that the market value of the pledged securities is adequate.

2. Custodial Agreement

Collateral pledged to secure deposits of the City shall be held by a custodian institution in accordance with a Custodial Agreement which clearly defines the procedural steps for gaining access to the collateral should the City determine that the City's funds are in jeopardy. The custodian institution shall be the Federal Reserve Bank or an institution not affiliated with the firm pledging the collateral.

3. Collateral Defined

The City shall accept only the following as collateral:

a) FDIC and NCUSIF insurance coverage.

b) A bond, certificate of indebtedness, or note of the United States or its agencies and instrumentalities, or other evidence of indebtedness that is guaranteed as to the principal and interest by the United States or its agencies and instrumentalities.

c) Obligations, the principal and interest on which are unconditionally guaranteed or insured by the State of Texas or its agencies and instrumentalities.

d) A bond of a county, city or other political subdivision of the State of Texas having been rated as investment grade (investment rating no less than “A” or its equivalent) by a nationally recognized rating agency, with a remaining maturity of ten (10) years or less.

The use of a letter of credit issued to the City by a Federal Home Loan Bank may be considered by the City to meet the required bank depository collateral requirements.

4. Subject to Audit

All collateral shall be subject to inspection and audit by the City or the City’s independent auditors.

5. Delivery vs. Payment

Securities shall be purchased using the delivery versus payment method. That is, funds shall not be wired or paid until verification has been made that the correct security was received by the City or its safekeeping agent. The security shall be held in the name of the City or held on behalf of the City. The safekeeping agent’s records shall assure the notation of the City’s ownership of or explicit claim on the securities. The original copy of all safekeeping receipts shall be delivered to the City.

H. INVESTMENT POLICY ADOPTION

The City Investment Policy shall be adopted by resolution of the City Council. The Investment Committee shall review the Policy for effectiveness on an annual basis and any modifications will be recommended for approval to the City Council. The City

Council shall review and approve these investment policies and strategies not less than annually.

APPENDIX A

SAMPLE INVESTMENT POLICY CERTIFICATION FORM

As required by Texas Government Code 2256.005(k)

CITY OF TEXARKANA, TEXAS

THE STATE OF TEXAS

COUNTY OF BOWIE

BEFORE ME, the undersigned authority, on this day personally appeared the person whose name is subscribed below, who, being by me first duly sworn, upon oath deposed and said:

My name is ________________________________. I am a Qualified Representative of ___________________________ (the "Business Organization"). This Statement is provided to meet the requirements of the Public Funds Investment Act.

I hereby certify that:

1. I have reviewed the City's Investment Policy;

2. The Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City of Texarkana and the Business Organization that are not authorized by the City's Investment Policy, except to the extent that the Business Organization has not made an analysis of the make-up of the City's entire portfolio or has not engaged in any interpretation of subjective investment standards or requires and interpretation of subjective investment standards or relates to investment transactions of the City that are not made through accounts or other contractual arrangements over which the business organization has accepted discretionary investment authority; and

3. The statements, representations and declarations made in this document are true and correct.

____
Qualified Representative

SWORN TO AND SUBSCRIBED BEFORE ME, this the __________ day of ______________________, 20______.

____
Notary Public in and for the State of Texas

Investment Committee Meeting
August 08, 2018

Present: Kristin Peeples, Chief Financial Officer
Jodie Lee, Assistant Chief Financial Officer
Jim Cornelius, Finance Director, TWU
Tricia Briggs, Customer Service/Accounting/HR Manager, TWU
Bob Bruggeman, Mayor
Dick Long Valley View Consulting (Via conference call)

Absent:

- The minutes from the May 23rd meeting were reviewed. Jim Cornelius made a motion to approve the minutes and Bob Bruggeman seconded the motion.
- Dick Long presented the Quarterly Investment Report for the period ending June 30, 2018.
  - Total portfolio average for the quarter ended 6/30/18 was 1.88% for the City and 1.71% for TWU. Book values for the quarter ended June 30, 2018 for the City was $35,340,569 and TWU was $11,771,983.
  - First Quarter GDP measured 2.0% (final estimate). The second quarter is expected to be higher. The ten year treasury note is not staying above 3%.
  - The investment report shows we are still transitioning from Guaranty Bank & Trust to Farmers Bank & Trust.
  - Portfolio for the City consisted of 88% DDA/MMA/Pools and 12% CDs/Securities while TWU had 44% DDA/MMA/Pools and 56% CDs/Securities for quarter ended June 30, 2018.
  - Collateral report for both the City and TWU reflected adequate coverage.
- Tricia Briggs made a motion to approve the investment report. It was seconded by Kristin Peeples.
- Dick Long discussed the market outlook and expected Farmers Bank & Trust and NexBank to move along with the market compared to the other institutions we have funds with.
- The investment Policy was reviewed. There are no proposed changes this year.
  - The investment committee discussed allowing local banks a second look when CD's are bid. The committee agreed this would be acceptable.
- Jodie Lee made a motion to accept the Investment Policy. Kristin Peeples seconded the motion.
- The investment committee reviewed the broker dealer list and independent training courses.
- Jodie Lee made a motion to accept the listing and training courses. Kristin Peeples seconded the motion.
- Jim Cornelius made a motion to adjourn the meeting and Tricia Briggs seconded.
- The next meeting is scheduled for November 7, 2018 at 2:00 p.m.

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
	☐	Provide a Safe Community
	☐	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	☐	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
	☐	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☑	Maintain Fiscal Strength
	☑	Maximize Utilization & Resources
	☐	Invest in Infrastructure & Transportation
Develop Personnel	☐	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☐	

Other:

Attachment: 2018-119 Goals & Perspectives (1946 : 2018-119 RES Adopting the City's Investment Policy)

City of Texarkana, Texas

Version: A

Briefing Sheet

Update Date: 10/16/2018 1:11 PM

Lead Department: Purchasing and Contracting **Action Officer:** Sharon Moore, Purchasing Manager

Subject: Resolution No. 2018-121 approving and accepting a cash offer for sale "as is" of the city-owned real property at 3523 Galleria Oaks Drive.

Briefing: 10/22/2018 **Public Hearing:** **Council Vote:** 10/22/2018

Item Schedule
Schedule 2: Brief once - vote once (two weeks)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

During construction phase of the extension of Galleria Oaks Drive, the City acquired the house and lot at 12 Morris Lane, later renamed 3523 Galleria Oaks Drive. The house was listed with Gerald Haire Realty who advertised four times. The house was listed with MLS and shown 36 times over a 30-day period. The former tenant rented the house from the City beginning September 2011. No regular maintenance had been performed on the house by the tenant. The house was in desperate need of repair, with rotting eaves, two major roof leaks, water damage and foundation issues. The tenant had abandoned the house two months before the City became aware.

Sealed proposals were taken. The City received one cash offer of $125,530 from Allan Wayne and Judith P. Simpson. This will be kept as a residential home. The house will be sold “as is”. The buyer will reimburse the City for outstanding property taxes of $4,145.59 paid by the City.

Potential Options:

- Approve authorizing the City Manager to sell the home at 3523 Galleria Oaks Drive to Allan Wayne and Judith P. Simpson.
- Do not approve sale of home at 3523 Galleria Oaks Drive.

Fiscal Implications:

Incoming revenue to the City of $125,530.00 to the FY19 budget. In addition, the City no longer pays the house insurance.

Staff Recommendation:

Staff recommends approval

Advisory Board/Committee Review:

NONE

Board/Committee Recommendation:

NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:

City of Texarkana, Texas

NOT APPLICABLE

Attachments

a. 2018-121 RES Auth Galleria Oaks as is sale (jcl) (DOCX)
b. 2018-121 EXH A - R.E. Contract (PDF)
c. 2018-121 Goals & Perspectives (DOCX)

Staff Coordination

Purchasing and Contracting	Sharon Moore	Department Head Review	Completed	10/11/2018 3:03 PM
Finance Department	Kristin Peeples	Finance Review	Completed	10/12/2018 3:28 PM
City Attorney	Jeffery C. Lewis	Review	Completed	10/12/2018 3:38 PM
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager Review	Completed	10/14/2018 3:51 PM
City Manager	Shirley Jaster	City Manager Review	Completed	10/15/2018 2:06 PM
City Council	Vicky Coopwood	Meeting	Pending	10/22/2018 6:00 PM

Meeting History

RESOLUTION NO. 2018 - 121

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING AND ACCEPTING A CASH OFFER FOR SALE "AS IS" OF CITY-OWNED REAL PROPERTY AT 3523 GALLERIA OAKS DRIVE; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO ACCEPT THE CASH OFFER AND EXECUTE ANY AND ALL CONTRACTS AND CLOSING DOCUMENTS FOR SALE OF THE PROPERTY ON BEHALF OF THE CITY OF TEXARKANA, TEXAS; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, during the construction of the extension of Galleria Oaks Drive, the City acquired real property consisting of a house and lot at 12 Morris Lane, later renamed as 3523 Galleria Oaks Drive, with the former owner becoming a tenant of the property; and

WHEREAS, the tenant has abandoned the property, and maintaining ownership of the property does not provide any identifiable positive benefit to the City in relation to current or future needs; and

WHEREAS, pursuant to Section 253.014 of the Local Government Code, the City secured the services of a licensed broker and listed the property for sale for over 30 days with a multiple-listing service as required by law, advertised the property in the newspaper, and showed the property over 30 times; and

WHEREAS, a ready, willing, and able buyer produced by the broker using the multiple-listing service has submitted a cash offer to purchase the property "as is" in the amount of $125,530.00, an amount comparable to other sales in the vicinity, and has deposited earnest money with the title escrow agent pursuant to terms and conditions in the proposed contract attached as **Exhibit "A"** to this Resolution; and

WHEREAS, the City Council intends for this resolution to approve and accept the cash offer for sale "as is" of the real property and to authorize the City Manager or designee to accept the cash offer and execute any and all contracts and closing documents for sale of the property on the City's behalf.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: The City Council approves and accepts the cash offer for sale "as is" of the real property located at 3523 Galleria Oaks Drive, and authorizes the City Manager or designee to accept the cash offer and execute the **Exhibit "A"** contract and closing documents for sale of the property on behalf of the City of Texarkana, Texas.

SECTION 2: This Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **22nd day of October, 2018**.

ATTEST:

______________________________ ______________________________

JENNIFER EVANS, CITY SECRETARY BOB BRUGGEMAN, MAYOR

2-12-18

PROMULGATED BY THE TEXAS REAL ESTATE COMMISSION (TREC)

ONE TO FOUR FAMILY RESIDENTIAL CONTRACT (RESALE)

NOTICE: Not For Use For Condominium Transactions

1. **PARTIES:** The parties to this contract are City of Texarkana, Texas (Seller) and Allan Wayne Simpson, Judith P Simpson (Buyer). Seller agrees to sell and convey to Buyer and Buyer agrees to buy from Seller the Property defined below.

2. **PROPERTY:** The land, improvements and accessories are collectively referred to as the "Property".
   A. LAND: Lot Lot 12 Block ______, ______ Addition, City of Texarkana, County of Bowie, Texas, known as 3523 Galleria Oaks Dr 75503-4640 (address/zip code), or as described on attached exhibit.
   B. IMPROVEMENTS: The house, garage and all other fixtures and improvements attached to the above-described real property, including without limitation, the following **permanently installed and built-in items**, if any: all equipment and appliances, valances, screens, shutters, awnings, wall-to-wall carpeting, mirrors, ceiling fans, attic fans, mail boxes, television antennas, mounts and brackets for televisions and speakers, heating and air-conditioning units, security and fire detection equipment, wiring, plumbing and lighting fixtures, chandeliers, water softener system, kitchen equipment, garage door openers, cleaning equipment, shrubbery, landscaping, outdoor cooking equipment, and all other property owned by Seller and attached to the above described real property.
   C. ACCESSORIES: The following described related accessories, if any: window air conditioning units, stove, fireplace screens, curtains and rods, blinds, window shades, draperies and rods, door keys, mailbox keys, above ground pool, swimming pool equipment and maintenance accessories, artificial fireplace logs, and controls for: (i) garage doors, (ii) entry gates, and (iii) other improvements and accessories.
   D. EXCLUSIONS: The following improvements and accessories will be retained by Seller and must be removed prior to delivery of possession: ______________________________.
   E. RESERVATIONS: Any reservation for oil, gas, or other minerals, water, timber, or other interests is made in accordance with an attached addendum.

3. **SALES PRICE:**
   A. Cash portion of Sales Price payable by Buyer at closing .... $ 125,530.00
   B. Sum of all financing described in the attached: ☐ Third Party Financing Addendum, ☐ Loan Assumption Addendum, ☐ Seller Financing Addendum .... $ ______
   C. Sales Price (Sum of A and B) .... $ 125,530.00

4. **LICENSE HOLDER DISCLOSURE:** Texas law requires a real estate license holder who is a party to a transaction or acting on behalf of a spouse, parent, child, business entity in which the license holder owns more than 10%, or a trust for which the license holder acts as a trustee or of which the license holder or the license holder's spouse, parent or child is a beneficiary, to notify the other party in writing before entering into a contract of sale. Disclose if applicable: ______________________________.

5. **EARNEST MONEY:** Within 3 days after the Effective Date, Buyer must deliver $ 5,000.00 as earnest money to Twin City Title, as escrow agent, at ______________________ (address). Buyer shall deliver additional earnest money of $ ______ to escrow agent within ______ days after the Effective Date of this contract. If Buyer fails to deliver the earnest money within the time required, Seller may terminate this contract or exercise Seller's remedies under Paragraph 15, or both, by providing notice to Buyer before Buyer delivers the earnest money. If the last day to deliver the earnest money falls on a Saturday, Sunday, or legal holiday, the time to deliver the earnest money is extended until the end of the next day that is not a Saturday, Sunday, or legal holiday. **Time is of the essence for this paragraph.**

6. **TITLE POLICY AND SURVEY:**
   A. TITLE POLICY: Seller shall furnish to Buyer at ☐ Seller's ☒ Buyer's expense an owner policy of title insurance (Title Policy) issued by ______________________ (Title Company) in the amount of the Sales Price, dated at or after closing, insuring Buyer against loss under the provisions of the Title Policy, subject to the promulgated exclusions (including existing building and zoning ordinances) and the following exceptions:
   (1) Restrictive covenants common to the platted subdivision in which the Property is located.
   (2) The standard printed exception for standby fees, taxes and assessments.

(3) Liens created as part of the financing described in Paragraph 3.
(4) Utility easements created by the dedication deed or plat of the subdivision in which the Property is located.
(5) Reservations or exceptions otherwise permitted by this contract or as may be approved by Buyer in writing.
(6) The standard printed exception as to marital rights.
(7) The standard printed exception as to waters, tidelands, beaches, streams, and related matters.
(8) The standard printed exception as to discrepancies, conflicts, shortages in area or boundary lines, encroachments or protrusions, or overlapping improvements:
[X] (i) will not be amended or deleted from the title policy; or
[ ] (ii) will be amended to read, "shortages in area" at the expense of [ ] Buyer [ ] Seller.
(9) The exception or exclusion regarding minerals approved by the Texas Department of Insurance.

B. COMMITMENT: Within 20 days after the Title Company receives a copy of this contract, Seller shall furnish to Buyer a commitment for title insurance (Commitment) and, at Buyer's expense, legible copies of restrictive covenants and documents evidencing exceptions in the Commitment (Exception Documents) other than the standard printed exceptions. Seller authorizes the Title Company to deliver the Commitment and Exception Documents to Buyer at Buyer's address shown in Paragraph 21. If the Commitment and Exception Documents are not delivered to Buyer within the specified time, the time for delivery will be automatically extended up to 15 days or 3 days before the Closing Date, whichever is earlier. If the the Commitment and Exception Documents are not delivered within the time required, Buyer may terminate this contract and the earnest money will be refunded to Buyer.

C. SURVEY: The survey must be made by a registered professional land surveyor acceptable to the Title Company and Buyer's lender(s). (Check one box only)

[ ] (1) Within _____ days after the Effective Date of this contract, Seller shall furnish to Buyer and Title Company Seller's existing survey of the Property and a Residential Real Property Affidavit promulgated by the Texas Department of Insurance (T-47 Affidavit). **If Seller fails to furnish the existing survey or affidavit within the time prescribed, Buyer shall obtain a new survey at Seller's expense no later than 3 days prior to Closing Date.** If the existing survey or affidavit is not acceptable to Title Company or Buyer's lender(s), Buyer shall obtain a new survey at [ ] Seller's [ ] Buyer's expense no later than 3 days prior to Closing Date.

[ ] (2) Within _____ days after the Effective Date of this contract, Buyer shall obtain a new survey at Buyer's expense. Buyer is deemed to receive the survey on the date of actual receipt or the date specified in this paragraph, whichever is earlier.

[ ] (3) Within _____ days after the Effective Date of this contract, Seller, at Seller's expense shall furnish a new survey to Buyer.

D. OBJECTIONS: Buyer may object in writing to defects, exceptions, or encumbrances to title: disclosed on the survey other than items 6A(1) through (7) above; disclosed in the Commitment other than items 6A(1) through (9) above; or which prohibit the following use or activity: ______________________________.
Buyer must object the earlier of (i) the Closing Date or (ii) ______________ days after Buyer receives the Commitment, Exception Documents, and the survey. Buyer's failure to object within the time allowed will constitute a waiver of Buyer's right to object; except that the requirements in Schedule C of the Commitment are not waived by Buyer. Provided Seller is not obligated to incur any expense, Seller shall cure any timely objections of Buyer or any third party lender within 15 days after Seller receives the objections (Cure Period) and the Closing Date will be extended as necessary. If objections are not cured within the Cure Period, Buyer may, by delivering notice to Seller within 5 days after the end of the Cure Period: (i) terminate this contract and the earnest money will be refunded to Buyer; or (ii) waive the objections. If Buyer does not terminate within the time required, Buyer shall be deemed to have waived the objections. If the Commitment or Survey is revised or any new Exception Document(s) is delivered, Buyer may object to any new matter revealed in the revised Commitment or Survey or new Exception Document(s) within the same time stated in this paragraph to make objections beginning when the revised Commitment, Survey, or Exception Document(s) is delivered to Buyer.

E. TITLE NOTICES:
(1) ABSTRACT OR TITLE POLICY: Broker advises Buyer to have an abstract of title covering the Property examined by an attorney of Buyer's selection, or Buyer should be furnished with or obtain a Title Policy. If a Title Policy is furnished, the Commitment should be promptly reviewed by an attorney of Buyer's choice due to the time limitations on Buyer's right to object.
(2) MEMBERSHIP IN PROPERTY OWNERS ASSOCIATION(S): The Property [ ] is [X] is not

subject to mandatory membership in a property owners association(s). If the Property is subject to mandatory membership in a property owners association(s), Seller notifies Buyer under §5.012, Texas Property Code, that, as a purchaser of property in the residential community identified in Paragraph 2A in which the Property is located, you are obligated to be a member of the property owners association(s). Restrictive covenants governing the use and occupancy of the Property and all dedicatory instruments governing the establishment, maintenance, or operation of this residential community have been or will be recorded in the Real Property Records of the county in which the Property is located. Copies of the restrictive covenants and dedicatory instrument may be obtained from the county clerk. **You are obligated to pay assessments to the property owners association(s). The amount of the assessments is subject to change. Your failure to pay the assessments could result in enforcement of the association's lien on and the foreclosure of the Property.**

Section 207.003, Property Code, entitles an owner to receive copies of any document that governs the establishment, maintenance, or operation of a subdivision, including, but not limited to, restrictions, bylaws, rules and regulations, and a resale certificate from a property owners' association. A resale certificate contains information including, but not limited to, statements specifying the amount and frequency of regular assessments and the style and cause number of lawsuits to which the property owners' association is a party, other than lawsuits relating to unpaid ad valorem taxes of an individual member of the association. These documents must be made available to you by the property owners' association or the association's agent on your request.

If Buyer is concerned about these matters, the TREC promulgated Addendum for Property Subject to Mandatory Membership in a Property Owners Association(s) should be used.

(3) STATUTORY TAX DISTRICTS: If the Property is situated in a utility or other statutorily created district providing water, sewer, drainage, or flood control facilities and services, Chapter 49, Texas Water Code, requires Seller to deliver and Buyer to sign the statutory notice relating to the tax rate, bonded indebtedness, or standby fee of the district prior to final execution of this contract.

(4) TIDE WATERS: If the Property abuts the tidally influenced waters of the state, §33.135, Texas Natural Resources Code, requires a notice regarding coastal area property to be included in the contract. An addendum containing the notice promulgated by TREC or required by the parties must be used.

(5) ANNEXATION: If the Property is located outside the limits of a municipality, Seller notifies Buyer under §5.011, Texas Property Code, that the Property may now or later be included in the extraterritorial jurisdiction of a municipality and may now or later be subject to annexation by the municipality. Each municipality maintains a map that depicts its boundaries and extraterritorial jurisdiction. To determine if the Property is located within a municipality's extraterritorial jurisdiction or is likely to be located within a municipality's extraterritorial jurisdiction, contact all municipalities located in the general proximity of the Property for further information.

(6) PROPERTY LOCATED IN A CERTIFICATED SERVICE AREA OF A UTILITY SERVICE PROVIDER: Notice required by §13.257, Water Code: The real property, described in Paragraph 2, that you are about to purchase may be located in a certificated water or sewer service area, which is authorized by law to provide water or sewer service to the properties in the certificated area. If your property is located in a certificated area there may be special costs or charges that you will be required to pay before you can receive water or sewer service. There may be a period required to construct lines or other facilities necessary to provide water or sewer service to your property. You are advised to determine if the property is in a certificated area and contact the utility service provider to determine the cost that you will be required to pay and the period, if any, that is required to provide water or sewer service to your property. The undersigned Buyer hereby acknowledges receipt of the foregoing notice at or before the execution of a binding contract for the purchase of the real property described in Paragraph 2 or at closing of purchase of the real property.

(7) PUBLIC IMPROVEMENT DISTRICTS: If the Property is in a public improvement district, §5.014, Property Code, requires Seller to notify Buyer as follows: As a purchaser of this parcel of real property you are obligated to pay an assessment to a municipality or county for an improvement project undertaken by a public improvement district under Chapter 372, Local Government Code. The assessment may be due annually or in periodic installments. More information concerning the amount of the assessment and the due dates of that assessment may be obtained from the municipality or county levying the assessment. The amount of the assessments is subject to change. Your failure to pay the assessments could result in a lien on and the foreclosure of your property.

(8) TRANSFER FEES: If the Property is subject to a private transfer fee obligation, §5.205, Property Code, requires Seller to notify Buyer as follows: The private transfer fee

obligation may be governed by Chapter 5, Subchapter G of the Texas Property Code.

(9) PROPANE GAS SYSTEM SERVICE AREA: If the Property is located in a propane gas system service area owned by a distribution system retailer, Seller must give Buyer written notice as required by §141.010, Texas Utilities Code. An addendum containing the notice approved by TREC or required by the parties should be used.

(10) NOTICE OF WATER LEVEL FLUCTUATIONS: If the Property adjoins an impoundment of water, including a reservoir or lake, constructed and maintained under Chapter 11, Water Code, that has a storage capacity of at least 5,000 acre-feet at the impoundment's normal operating level, Seller hereby notifies Buyer: "The water level of the impoundment of water adjoining the Property fluctuates for various reasons, including as a result of: (1) an entity lawfully exercising its right to use the water stored in the impoundment; or (2) drought or flood conditions."

7. **PROPERTY CONDITION:**

A. ACCESS, INSPECTIONS AND UTILITIES: Seller shall permit Buyer and Buyer's agents access to the Property at reasonable times. Buyer may have the Property inspected by inspectors selected by Buyer and licensed by TREC or otherwise permitted by law to make inspections. Any hydrostatic testing must be separately authorized by Seller in writing. Seller at Seller's expense shall immediately cause existing utilities to be turned on and shall keep the utilities on during the time this contract is in effect.

B. SELLER'S DISCLOSURE NOTICE PURSUANT TO §5.008, TEXAS PROPERTY CODE (Notice): (Check one box only)

☐ (1) Buyer has received the Notice.

☐ (2) Buyer has not received the Notice. Within ______ days after the Effective Date of this contract, Seller shall deliver the Notice to Buyer. If Buyer does not receive the Notice, Buyer may terminate this contract at any time prior to the closing and the earnest money will be refunded to Buyer. If Seller delivers the Notice, Buyer may terminate this contract for any reason within 7 days after Buyer receives the Notice or prior to the closing, whichever first occurs, and the earnest money will be refunded to Buyer.

☒ (3) The Seller is not required to furnish the notice under the Texas Property Code.

C. SELLER'S DISCLOSURE OF LEAD-BASED PAINT AND LEAD-BASED PAINT HAZARDS is required by Federal law for a residential dwelling constructed prior to 1978.

D. ACCEPTANCE OF PROPERTY CONDITION: "As Is" means the present condition of the Property with any and all defects and without warranty except for the warranties of title and the warranties in this contract. Buyer's agreement to accept the Property As Is under Paragraph 7D(1) or (2) does not preclude Buyer from inspecting the Property under Paragraph 7A, from negotiating repairs or treatments in a subsequent amendment, or from terminating this contract during the Option Period, if any.

(Check one box only)

☒ (1) Buyer accepts the Property As Is.

☐ (2) Buyer accepts the Property As Is provided Seller, at Seller's expense, shall complete the the following specific repairs and treatments: ______________________

(Do not insert general phrases, such as "subject to inspections" that do not identify specific repairs and treatments.)

E. LENDER REQUIRED REPAIRS AND TREATMENTS: Unless otherwise agreed in writing, neither party is obligated to pay for lender required repairs, which includes treatment for wood destroying insects. If the parties do not agree to pay for the lender required repairs or treatments, this contract will terminate and the earnest money will be refunded to Buyer. If the cost of lender required repairs and treatments exceeds 5% of the Sales Price, Buyer may terminate this contract and the earnest money will be refunded to Buyer.

F. COMPLETION OF REPAIRS AND TREATMENTS: Unless otherwise agreed in writing: (i) Seller shall complete all agreed repairs and treatments prior to the Closing Date; and (ii) all required permits must be obtained, and repairs and treatments must be performed by persons who are licensed to provide such repairs or treatments or, if no license is required by law, are commercially engaged in the trade of providing such repairs or treatments. At Buyer's election, any transferable warranties received by Seller with respect to the repairs and treatments will be transferred to Buyer at Buyer's expense. If Seller fails to complete any agreed repairs and treatments prior to the Closing Date, Buyer may exercise remedies under Paragraph 15 or extend the Closing Date up to 5 days if necessary for Seller to complete the repairs and treatments.

G. ENVIRONMENTAL MATTERS: Buyer is advised that the presence of wetlands, toxic substances, including asbestos and wastes or other environmental hazards, or the presence of a threatened or endangered species or its habitat may affect Buyer's intended use of the Property. If Buyer is concerned about these matters, an addendum promulgated by TREC or required by the parties should be used.

H. RESIDENTIAL SERVICE CONTRACTS: Buyer may purchase a residential service contract from a residential service company licensed by TREC. If Buyer purchases a residential service contract, Seller shall reimburse Buyer at closing for the cost of the residential service contract in an amount not exceeding $ ____________. Buyer should review any residential service contract for the scope of coverage, exclusions and limitations. **The purchase of a residential service contract is optional. Similar coverage may be purchased from various companies authorized to do business in Texas.**

8. **BROKERS' FEES:** All obligations of the parties for payment of brokers' fees are contained in separate written agreements.

9. **CLOSING:**

A. The closing of the sale will be on or before **November 5**, **2018**, or within 7 days after objections made under Paragraph 6D have been cured or waived, whichever date is later (Closing Date). If either party fails to close the sale by the Closing Date, the non-defaulting party may exercise the remedies contained in Paragraph 15.

B. At closing:

(1) Seller shall execute and deliver a general warranty deed conveying title to the Property to Buyer and showing no additional exceptions to those permitted in Paragraph 6 and furnish tax statements or certificates showing no delinquent taxes on the Property.

(2) Buyer shall pay the Sales Price in good funds acceptable to the escrow agent.

(3) Seller and Buyer shall execute and deliver any notices, statements, certificates, affidavits, releases, loan documents and other documents reasonably required for the closing of the sale and the issuance of the Title Policy.

(4) There will be no liens, assessments, or security interests against the Property which will not be satisfied out of the sales proceeds unless securing the payment of any loans assumed by Buyer and assumed loans will not be in default.

(5) If the Property is subject to a residential lease, Seller shall transfer security deposits (as defined under §92.102, Property Code), if any, to Buyer. In such an event, Buyer shall deliver to the tenant a signed statement acknowledging that the Buyer has acquired the Property and is responsible for the return of the security deposit, and specifying the exact dollar amount of the security deposit.

10. **POSSESSION:**

A. Buyer's Possession: Seller shall deliver to Buyer possession of the Property in its present or required condition, ordinary wear and tear excepted: ☒ upon closing and funding ☐ according to a temporary residential lease form promulgated by TREC or other written lease required by the parties. Any possession by Buyer prior to closing or by Seller after closing which is not authorized by a written lease will establish a tenancy at sufferance relationship between the parties. **Consult your insurance agent prior to change of ownership and possession because insurance coverage may be limited or terminated. The absence of a written lease or appropriate insurance coverage may expose the parties to economic loss.**

B. Leases:

(1) After the Effective Date, Seller may not execute any lease (including but not limited to mineral leases) or convey any interest in the Property without Buyer's written consent.

(2) If the Property is subject to any lease to which Seller is a party, Seller shall deliver to Buyer copies of the lease(s) and any move-in condition form signed by the tenant within 7 days after the Effective Date of the contract.

11. **SPECIAL PROVISIONS:** (Insert only factual statements and business details applicable to the sale. TREC rules prohibit license holder from adding factual statements or business details for which a contract addendum, lease or other form has been promulgated by TREC for mandatory use.) **Buyer will reimburse the City of Texarkana for outstanding property taxes paid by the City in the amount of $4,145.59.**

12. **SETTLEMENT AND OTHER EXPENSES:**

A. The following expenses must be paid at or prior to closing:

(1) Expenses payable by Seller (Seller's Expenses):

(a) Releases of existing liens, including prepayment penalties and recording fees; release of Seller's loan liability; tax statements or certificates; preparation of deed; one-half of escrow fee; and other expenses payable by Seller under this contract.

(b) Seller shall also pay an amount not to exceed $ ____________ to be applied in the following order: Buyer's Expenses which Buyer is prohibited from paying by FHA, VA, Texas Veterans Land Board or other governmental loan programs, and then to other Buyer's Expenses as allowed by the lender.

(2) Expenses payable by Buyer (Buyer's Expenses): Appraisal fees; loan application fees; origination charges; credit reports; preparation of loan documents; interest on the notes from date of disbursement to one month prior to dates of first monthly payments; recording fees; copies of easements and restrictions; loan title policy with endorsements required by lender; loan-related inspection fees; photos; amortization schedules; one-half of escrow fee; all prepaid items, including required premiums for flood and hazard insurance, reserve deposits for insurance, ad valorem taxes and special governmental assessments; final compliance inspection; courier fee; repair inspection; underwriting fee; wire transfer fee; expenses incident to any loan; Private Mortgage Insurance Premium (PMI), VA Loan Funding Fee, or FHA Mortgage Insurance Premium (MIP) as required by the lender; and other expenses payable by Buyer under this contract.

B. If any expense exceeds an amount expressly stated in this contract for such expense to be paid by a party, that party may terminate this contract unless the other party agrees to pay such excess. Buyer may not pay charges and fees expressly prohibited by FHA, VA, Texas Veterans Land Board or other governmental loan program regulations.

13. **PRORATIONS:** Taxes for the current year, interest, maintenance fees, assessments, dues and rents will be prorated through the Closing Date. The tax proration may be calculated taking into consideration any change in exemptions that will affect the current year's taxes. If taxes for the current year vary from the amount prorated at closing, the parties shall adjust the prorations when tax statements for the current year are available. If taxes are not paid at or prior to closing, Buyer shall pay taxes for the current year.

14. **CASUALTY LOSS:** If any part of the Property is damaged or destroyed by fire or other casualty after the Effective Date of this contract, Seller shall restore the Property to its previous condition as soon as reasonably possible, but in any event by the Closing Date. If Seller fails to do so due to factors beyond Seller's control, Buyer may (a) terminate this contract and the earnest money will be refunded to Buyer (b) extend the time for performance up to 15 days and the Closing Date will be extended as necessary or (c) accept the Property in its damaged condition with an assignment of insurance proceeds, if permitted by Seller's insurance carrier, and receive credit from Seller at closing in the amount of the deductible under the insurance policy. Seller's obligations under this paragraph are independent of any other obligations of Seller under this contract.

15. **DEFAULT:** If Buyer fails to comply with this contract, Buyer will be in default, and Seller may (a) enforce specific performance, seek such other relief as may be provided by law, or both, or (b) terminate this contract and receive the earnest money as liquidated damages, thereby releasing both parties from this contract. If Seller fails to comply with this contract, Seller will be in default and Buyer may (a) enforce specific performance, seek such other relief as may be provided by law, or both, or (b) terminate this contract and receive the earnest money, thereby releasing both parties from this contract.

16. **MEDIATION:** It is the policy of the State of Texas to encourage resolution of disputes through alternative dispute resolution procedures such as mediation. Any dispute between Seller and Buyer related to this contract which is not resolved through informal discussion will be submitted to a mutually acceptable mediation service or provider. The parties to the mediation shall bear the mediation costs equally. This paragraph does not preclude a party from seeking equitable relief from a court of competent jurisdiction.

17. **ATTORNEY'S FEES:** A Buyer, Seller, Listing Broker, Other Broker, or escrow agent who prevails in any legal proceeding related to this contract is entitled to recover reasonable attorney's fees and all costs of such proceeding.

18. **ESCROW:**

A. ESCROW: The escrow agent is not (i) a party to this contract and does not have liability for the performance or nonperformance of any party to this contract, (ii) liable for interest on the earnest money and (iii) liable for the loss of any earnest money caused by the failure of any financial institution in which the earnest money has been deposited unless the financial institution is acting as escrow agent.

B. EXPENSES: At closing, the earnest money must be applied first to any cash down payment, then to Buyer's Expenses and any excess refunded to Buyer. If no closing occurs, escrow agent may: (i) require a written release of liability of the escrow agent from all parties, (ii) require payment of unpaid expenses incurred on behalf of a party, and (iii) only deduct from the earnest money the amount of unpaid expenses incurred on behalf of the party receiving the earnest money.

C. DEMAND: Upon termination of this contract, either party or the escrow agent may send a release of earnest money to each party and the parties shall execute counterparts of the release and deliver same to the escrow agent. If either party fails to execute the release, either party may make a written demand to the escrow agent for the earnest money. If only one party makes written demand for the earnest money, escrow agent shall promptly provide a copy of the demand to the other party. If escrow agent does not receive written objection to the demand from the other party within 15 days, escrow agent may disburse the earnest money to the party making demand reduced by the amount of unpaid expenses incurred on behalf of the party receiving the earnest money and escrow agent may pay the same to the creditors. If escrow agent complies with the provisions of this paragraph, each party hereby releases escrow agent from all adverse claims related to the disbursal of the earnest money.

D. DAMAGES: Any party who wrongfully fails or refuses to sign a release acceptable to the escrow agent within 7 days of receipt of the request will be liable to the other party for (i) damages; (ii) the earnest money; (iii) reasonable attorney's fees; and (iv) all costs of suit.

E. NOTICES: Escrow agent's notices will be effective when sent in compliance with Paragraph 21. Notice of objection to the demand will be deemed effective upon receipt by escrow agent.

19. **REPRESENTATIONS:** All covenants, representations and warranties in this contract survive closing. If any representation of Seller in this contract is untrue on the Closing Date, Seller will be in default. Unless expressly prohibited by written agreement, Seller may continue to show the Property and receive, negotiate and accept back up offers.

20. **FEDERAL TAX REQUIREMENTS:** If Seller is a "foreign person," as defined by Internal Revenue Code and its regulations, or if Seller fails to deliver an affidavit or a certificate of non-foreign status to Buyer that Seller is not a "foreign person," then Buyer shall withhold from the sales proceeds an amount sufficient to comply with applicable tax law and deliver the same to the Internal Revenue Service together with appropriate tax forms. Internal Revenue Service regulations require filing written reports if currency in excess of specified amounts is received in the transaction.

21. **NOTICES:** All notices from one party to the other must be in writing and are effective when mailed to, hand-delivered at, or transmitted by fax or electronic transmission as follows:

To Buyer	To Seller
at: ______	at: ______
Phone: ______	Phone: ______
Fax: ______	Fax: ______
E-mail: ______	E-mail: ______

22. **AGREEMENT OF PARTIES:** This contract contains the entire agreement of the parties and cannot be changed except by their written agreement. Addenda which are a part of this contract are (Check all applicable boxes):

- ☐ Third Party Financing Addendum
- ☐ Seller Financing Addendum
- ☐ Addendum for Property Subject to Mandatory Membership in a Property Owners Association
- ☐ Buyer's Temporary Residential Lease
- ☐ Loan Assumption Addendum
- ☐ Addendum for Sale of Other Property by Buyer
- ☐ Addendum for Reservation of Oil, Gas and Other Minerals
- ☐ Addendum for "Back-Up" Contract
- ☐ Addendum for Coastal Area Property
- ☐ Addendum for Authorizing Hydrostatic Testing
- ☐ Addendum Concerning Right to Terminate Due to Lender's Appraisal
- ☐ Environmental Assessment, Threatened or Endangered Species and Wetlands Addendum
- ☐ Seller's Temporary Residential Lease
- ☐ Short Sale Addendum
- ☐ Addendum for Property Located Seaward of the Gulf Intracoastal Waterway
- ☐ Addendum for Seller's Disclosure of Information on Lead-based Paint and Lead-based Paint Hazards as Required by Federal Law
- ☐ Addendum for Property in a Propane Gas System Service Area
- ☒ Other (list): IBS

23. **TERMINATION OPTION:** For nominal consideration, the receipt of which is hereby acknowledged by Seller, and Buyer's agreement to pay Seller $ ______________ (Option Fee) within 3 days after the Effective Date of this contract, Seller grants Buyer the unrestricted right to terminate this contract by giving notice of termination to Seller within ______________ days after the Effective Date of this contract (Option Period). Notices under this paragraph must be given by 5:00 p.m. (local time where the Property is located) by the date specified. If no dollar amount is stated as the Option Fee or if Buyer fails to pay the Option Fee to Seller within the time prescribed, this paragraph will not be a part of this contract and Buyer shall not have the unrestricted right to terminate this contract. If Buyer gives notice of termination within the time prescribed, the Option Fee will not be refunded; however, any earnest money will be refunded to Buyer. The Option Fee ☐ will ☐ will not be credited to the Sales Price at closing. **Time is of the essence for this paragraph and strict compliance with the time for performance is required.**

24. **CONSULT AN ATTORNEY BEFORE SIGNING:** TREC rules prohibit real estate license holders from giving legal advice. READ THIS CONTRACT CAREFULLY.

Buyer's Attorney is: ______________	Seller's Attorney is: ______________
______________	______________
Phone: ______________	Phone: ______________
Fax: ______________	Fax: ______________
E-mail: ______________	E-mail: ______________

EXECUTED the ________ day of ______________ , ______ (Effective Date).
(BROKER: FILL IN THE DATE OF FINAL ACCEPTANCE.)

Allan Wayne Simpson	
Buyer **Allan Wayne Simpson**	Seller **City of Texarkana, Texas**
Judith P Simpson	
Buyer **Judith P Simpson**	Seller

BROKER INFORMATION

(Print name(s) only. Do not sign)

Other Broker Firm — License No.	Burt Clem Listing Broker Firm — License No.
represents ☐ Buyer only as Buyer's agent ☐ Seller as Listing Broker's subagent	represents ☐ Seller and Buyer as an intermediary ☒ Seller only as Seller's agent
Associate's Name — License No.	Kelly Nutt Listing Associate's Name — License No.
Associate's Email Address — Phone	kelly@nuttauction.com (903)824-3445 Listing Associate's Email Address — Phone
Licensed Supervisor of Associate — License No.	Licensed Supervisor of Listing Associate — License No.
Other Broker's Address — Phone	4609 Texas Blvd (903)791-1088 Listing Broker's Office Address — Phone
City — State — Zip	Texarkana TX 75503 City — State — Zip
	Selling Associate's Name — License No.
	Selling Associate's Email Address — Phone
	Licensed Supervisor of Selling Associate — License No.
	Selling Associate's Office Address
	City — State — Zip

Listing Broker has agreed to pay Other Broker ______________ of the total sales price when the Listing Broker's fee is received. Escrow agent is authorized and directed to pay Other Broker from Listing Broker's fee at closing.

Contract Concerning 3523 Galleria Oaks Dr Texarkana, TX 75503-4640 (Address of Property) Page 10 of 10 2-12-18

OPTION FEE RECEIPT

Receipt of $__________ (Option Fee) in the form of __________ is acknowledged.

Seller or Listing Broker   Date

EARNEST MONEY RECEIPT

Receipt of $__________ Earnest Money in the form of __________ is acknowledged.

Escrow Agent   Received by   Email Address   Date/Time

Address   Phone

City   State   Zip   Fax

CONTRACT RECEIPT

Receipt of the Contract is acknowledged.

Escrow Agent   Received by   Email Address   Date

Address   Phone

City   State   Zip   Fax

ADDITIONAL EARNEST MONEY RECEIPT

Receipt of $__________ additional Earnest Money in the form of __________ is acknowledged.

Escrow Agent   Received by   Email Address   Date/Time

Address   Phone

City   State   Zip   Fax

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☐	Provide a Safe Community
	☐	Deliver Quality Services
	☑	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	☐	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☑	Model a Positive City Image
	☐	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☑	Maintain Fiscal Strength
	☑	Maximize Utilization & Resources
	☐	Invest in Infrastructure & Transportation
Develop Personnel	☐	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☐	None Required	☐	

Other: MLS listed

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/16/2018 12:23 PM

Lead Department: Police **Action Officer:** Michael Henry, Captain

Subject: Resolution No. 2018-123 approving the application for the Edward Byrne Justice Assistance Grant, providing a total grant in the amount of $23,250, where the City of Texarkana, Texas, will receive $13,950 and Bowie County, Texas, will receive $9,300.

Briefing: 10/22/2018 **Public Hearing:** 10/22/2018 **Council Vote:** 10/22/2018

Item Schedule
Schedule 3: No briefing required (one week)

Updates/History of Briefing:

NOT APPLICABLE

Executive Summary and Background Information:

For consideration is the 2018 Regular Local Solicitation for the Edward Byrne Justice Assistance Grant (JAG). The JAG is a pre-determined allocation, which based upon the amount, is shared with the Bowie County Sheriff's Office because of the city's federal designation as a disparate jurisdiction. The total funding for this round is $23,250.00, which will be shared with BCSO. TTPD plans to utilize their portion of the funds ($13,950.00) to update the mobile command post. The technology within the command post has not been updated in 9 years. The command post currently utilizes desktop computers and air cards for connectivity. The computers must be replaced. The department plans to replace them with wireless laptops for increased versatility and functionality. The air cards will be replaced with cellular modems that will provide Wi-Fi within and near the command post. These modems will be equipped with sim cards from two different carriers for redundancy. The smartboard in the situation room must be replaced with a modern version. There is also a need for a wireless color printer to replace outdated, wired printers. The four (4) semi-rugged, touch screen laptops are estimated at $2,200.00 each for a total of $8,800.00. The two (2) cellular modems are estimated at $1,250.00 each for a total of $2,500.00. The smartboard with a wireless adapter is expected to cost $2,250.00. Finally, the wireless color printer is estimated at $400.00. The Department estimates the total cost of this project to be $13,950.00.

Potential Options:

- None
-

Fiscal Implications:

The City of Texarkana, Texas will not be required to furnish additional match funding to receive funds under the grant program.

Staff Recommendation:

Approval of the application is recommended.

City of Texarkana, Texas

Advisory Board/Committee Review:
NONE

Board/Committee Recommendation:
NOT APPLICABLE

Advisory Board/Committee Meeting Date and Minutes:
NOT APPLICABLE

Attachments
a. 2018-123 RES Police JAG Grant (DOCX)
b. 2018-123 ATTH 01 JAG Budget Narrative (PDF)
c. 2018-123 ATTH 02 JAG Program Narrative (PDF)
d. 2018-123 Goals & Perspectives (DOCX)

Staff Coordination

Police	Michael Henry	Review	Completed	10/16/2018
8:27 AM				
Police	Kevin Schutte	Review	Completed	10/16/2018
9:03 AM				
Police	Dan Shiner	Review	Completed	10/16/2018
9:10 AM				
Deputy City Manager - Kyle Dooley		Kyle Dooley	Deputy City Manager	
Review	Completed	10/16/2018 9:58 AM		
City Manager		City Manager Review	Pending	
City Council	Vicky Coopwood	Meeting	Pending	10/22/2018
6:00 PM				

Meeting History

RESOLUTION NO. 2018–123

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, APPROVING THE APPLICATION FOR THE EDWARD BYRNE JUSTICE ASSISTANCE GRANT PROVIDING A TOTAL GRANT IN THE AMOUNT OF TWENTY-THREE THOUSAND TWO HUNDRED FIFTY DOLLARS ($23,250), WHERE THE CITY OF TEXARKANA, TEXAS, WILL RECEIVE THIRTEEN THOUSAND NINE HUNDRED FIFTY DOLLARS ($13,950) AND BOWIE COUNTY, TEXAS, WILL RECEIVE NINE THOUSAND THREE HUNDRED DOLLARS ($9,300); AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Office of Justice Programs of the United States Department of Justice has notified the City of Texarkana, Texas, as applicant and fiscal agent for available grant funds, that the City's application on behalf of the City and Bowie County, Texas, for funding under the FY2018 Edward Byrne Memorial Justice Assistance Grant in the amount of **$23,250** to be shared with Bowie County, Texas, has been approved for the program and budget period ending September 30, 2019, subject to compliance with those conditions and limitations set out in the grant documents attached as "**ATTH 01**" and "**ATTH 02**"; and

WHEREAS, the Texarkana, Texas Police Department's share of the funding will be used to update the electronics in the department's mobile command post; and

WHEREAS, the City of Texarkana, Texas, will not be required to furnish additional match funding to receive funds under the grant program; and

WHEREAS, the City Council of the City of Texarkana, Texas, being informed of the nature and proposed use of said grant, does consider and find that the above-recommended uses and grant expenditures therefore are in the best interest of and will promote the health, safety and general welfare of the community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

<u>SECTION 1:</u> That the above-described Edward Byrne Memorial Justice Assistance Grant in the amount of **$23,250** to be shared by and between the City of Texarkana, Texas, and Bowie County, Texas, be and is hereby accepted.

<u>SECTION 2:</u> That the City Manager be and is hereby authorized to undertake the necessary steps and execute the necessary documents including the Grant Acceptance document required for formal acceptance of the Edward Byrne Memorial Justice Assistant Grant from the United States Department of Justice, Office of Justice Programs, providing a total grant in the amount of **$23,250** to be divided between the City of Texarkana, Texas, and Bowie County, Texas, where the City of Texarkana, Texas, will receive **$13,950** and Bowie County, Texas will receive **$9,300**.

SECTION 3: That this Resolution shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **22nd day of October, 2018**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

2018 Justice Assistance Grant
City of Texarkana, Texas
2018-H3510-TX-DJ

BUDGET NARRATIVE

City of Texarkana, Texas

Under the *Updating the Command Post* project, the JAG funds will be used to purchase laptop computers, cellular modems, a smartboard and a printer for the mobile command post. The cost to purchase four (4) laptops is estimated to be $2,200.00 each for a total of $8,800.00. The estimated cost of the two (2) cellular modems are $1,250.00 each, for a total of $2,500.00. The smartboard is estimated to cost $2,250. A color wireless printer is estimated at $400.00.

The total cost of the project will be $13,950.00.

Bowie County, Texas

Under the Bowie County Sheriff's Office *Helicopter Safety and Communications* project, the JAG funds will be used to purchase one upgrade to the helicopter GPS system, one new transponder for the helicopter and one new P25 digital mobile radio to be used in the helicopter. The GNS-430 WAAS update for the GPS is estimated at $3,156.00. The GTX-345 Transponder is estimated at $3,025.00. The Motorola APX 1500 mobile radio is estimated at $3,119.00.

The total cost of the project will be $9,300.00.

2018 Justice Assistance Grant
City of Texarkana, Texas
Bowie County, Texas
2018-H3510-TX-DJ

PROGRAM NARRATIVE

The City of Texarkana, Texas Police Department is applying for the FY2018 Edward Byrne Memorial Justice Assistance Grant (JAG) program to be used for the following purpose:

The **Texarkana, Texas Police Department** maintains a mobile command post for emergency operations. The technology within the command post has not been updated in 9 years. The command post currently utilizes desktop computers and air cards for connectivity. The computers must be replaced. The department plans to replace them with wireless laptops for increased versatility and functionality. The air cards will be replaced with cellular modems that will provide Wi-Fi within and near the command post. These modems will be equipped with sim cards from two different carriers for redundancy. The smartboard in the situation room must be replaced with a modern version. There is also a need for a wireless color printer to replace outdated, wired printers. There is no local funding neither budgeted nor anticipated for this acquisition. The four (4) semi-rugged, touch screen laptops are estimated at $2,200.00 each for a total of $8,800.00. The two (2) cellular modems are estimated at $1,250.00 each for a total of $2,500.00. The smartboard with a wireless adapter is expected to cost $2,250.00. Finally, the wireless color printer is estimated at $400.00. The Department estimates the total cost of this project to be $13,950.00.

The **Bowie County Sheriff's Office** owns and operates a Bell OH58 Police Helicopter. Bowie County Sheriff's Office uses this aircraft for search and rescue, manhunts, searches for drug fields, and warrant services. In addition to serving our own agency, this helicopter assists several nearby counties with these same types of operations. The next nearest police helicopter in Texas is in Garland (155 miles). In any emergency that makes for a longer response time and reduced flight time over target in initial response. FAA mandates require an ADS_B upgrade by 1/1/2020 for any aircraft that goes into Controlled Airspace. The purpose of the upgrade is to prevent mid-air collisions. To meet this requirement, we will have to upgrade our current GPS and replace the Transponder. Texarkana Municipal Airport and the 5 miles around it is controlled airspace. This airport is where we store, fuel and service this helicopter. This area also includes most of the cities of Texarkana TX and Texarkana AR. In addition, our radio in the helicopter is dated and we are in the process of upgrading our radio system from analog to digital. Our current radio in the helicopter is not capable of the upgrade to the new system. There is no local funding neither budgeted nor anticipated for this acquisition. It is proposed the Bowie County Sheriff's Office purchase the following with these grant funds: One (1) GNS 430 upgrade to WAAS $3,156.00, One (1) GTX 345 Transponder $3,025.00, and One (1) Motorola APX 1500 700/800 Radio $3,119.00. The anticipated total for their project is $9,300.00.

Each agency and its respective governing bodies have agreed to disperse the $23,250.00 in JAG funding based on a percentage formula for their project needs. The money spent will be for law enforcement purposes only. It is anticipated that the projects will commence upon receipt of the funding and that the funds will be spent within a two-year period after they are received. The equipment purchased with the funding will continue to be utilized for years beyond the two-year grant reporting period. Each agency believes the acquisition of the equipment will benefit each of our local governments and citizenry by helping stabilize budgets, minimize and/or avoid reduction in essential services and counterproductive local tax increases, improve communication inoperability with public safety entities, reduce or prevent interruption of emergency public safety services in times of emergencies, improve crime detection and apprehension of criminals, as well as increase officer safety.

PERFORMANCE MEASURES:

The Texarkana Police Department expects the equipment to update its mobile command post. The Bowie County Sheriff's Office expects that their project will increase the safety and effectiveness of its police helicopter.

Performance Indicator	Performance Measures	Target
Amount of funds expended on equipment and/or supplies	Amount of funds expended to purchase equipment and/or supplies during the reporting period	**100 %**
Types of equipment and/or supplies purchased with JAG funds	Indicate the types of equipment and/or supplies purchased with JAG funds during the reporting period	• **Laptop Computers** • **Cellular Modems** • **Smartboard** • **Wireless Printer** • **Helicopter GPS** • **Helicopter Transponder** • **Mobile Radio**
Performance Indicator	**Performance Measures**	**Target**
Number of units to directly benefit from equipment and/or supplies purchased with JAG funds	A. Number of organizational units to directly benefit from equipment purchased during the reporting period. Divided by B. Number of organizational units that requested award to purchase equipment during reporting period For percentage	**100 %**
Percentage of criminal justice staff who reported improved efficiency in their job performance or supplies purchased by JAG funds.	A. Number of staff who reported improved efficiency in their job performance during the reporting period. Divided by B. Number of staff receiving equipment For percentage	**100 %**
Percentage of criminal justice staff who reported increase in program quality as a result in the purchase of equipment or supplies by JAG funds.	A. Number of staff who reported an increase in program quality during the reporting period. Divided by B. Number of staff receiving equipment For percentage	**100 %**

Attachment: 2018-123 ATTH 02 JAG Program Narrative (1951 : 2018-123 RES Police JAG Grant)

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
	☑	Provide a Safe Community
	☑	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☑	Enhance Community Preparedness & Responsiveness
	☐	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☐	Model a Positive City Image
	☑	Deliver Efficient Services
	☐	Cultivate Community Involvement & Access
Manage the Resources	☑	Maintain Fiscal Strength
	☑	Maximize Utilization & Resources
	☐	Invest in Infrastructure & Transportation
Develop Personnel	☑	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☐	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☐	None Required	☐	

Other:

Attachment: 2018-123 Goals & Perspectives (1951 : 2018-123 RES Police JAG Grant)

City of Texarkana, Texas

Briefing Sheet

Version:
Update Date: 10/11/2018 3:19 PM

Lead Department: Planning and Community Development
Action Officer: David Orr, Planning & Community Development Director

Subject: Ordinance No. 2018-125 amending the budget for the fiscal year beginning October 1, 2018 and ending September 30, 2019 to include funds for the USDA Farmers' Market Promotion Program (FMPP) Grant.

Briefing: 10/22/2018 **Public Hearing:** 10/22/2018 **Council Vote:** 10/22/2018

Item Schedule
Schedule 2: Brief once - vote once (two weeks)

Updates/History of Briefing:

Not Applicable

Executive Summary and Background Information:

The City of Texarkana, Texas has received a USDA Farmers' Market Promotion Program (FMPP) grant award totaling one hundred seventy-four thousand two hundred and twenty dollars and zero cents ($174,220.00) for the support of the Texarkana, Texas Farmers' Market. Because the grant award was not anticipated at the time the budget was prepared, the funds were not appropriated in the fiscal year 2019 budget.
The Texarkana, Texas Farmers' Market, in partnership with the Texarkana Regional Arts and Humanities Council and the Housing Authority of Texarkana, Texas will work to administer the grant to support the Market's Cultural Food Diversity Initiative. The program, set to begin later this year, is focused on the growth and expansion of the Farmers' Market through the use of cultural foods and events, an expanded mobile market and online ordering system, and increased advertising for all market activities. The initiative will be centered on a "Shop Us First" branding campaign designed to establish the market as the first source for fresh local foods and to enhance direct sales of producer to consumer market activities.
Texarkana's application was one of 49 funded nationwide and the only project selected for funding in Texas. The City has previously received the FMPP grant in 2010 for $35,432 and in 2014 for $93,746.

Potential Options:

- Approve
- Deny

Fiscal Implications:

$174,220 in USDA grant funds with no local match required from the City.

Staff Recommendation:

Staff recommends approval.

City of Texarkana, Texas

Advisory Board/Committee Review:
None

Board/Committee Recommendation:
Not Applicable

Advisory Board/Committee Meeting Date and Minutes:
Not Applicable

Attachments
a. 2018-125 ORD Amending Budget for FMPP grant (DOC)
b. 2018-125 ATTH 01 TFM FMPP Executive Summary (PDF)
c. 2018-125 ATTH 02 TXK AMS-33 Signed (PDF)
d. 2018-125 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	Completed	10/11/2018 3:20 PM
Finance Department	Kristin Peeples	Finance Review	Completed	10/12/2018 3:29 PM
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager Review	Completed	10/14/2018 3:55 PM
City Manager	Shirley Jaster	City Manager Review	Completed	10/15/2018 1:24 PM
City Council	Vicky Coopwood	Meeting	Pending	10/22/2018 6:00 PM

Meeting History

ORDINANCE NO. 2018 - 125

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING BUDGETED REVENUE AND EXPENDITURES FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019, TO APPROPRIATE ADDITIONAL REVENUE OF ONE HUNDRED SEVENTY-FOUR THOUSAND TWO HUNDRED TWENTY DOLLARS ($174,220) AND ADDITIONAL EXPENDITURES OF ONE HUNDRED SEVENTY-FOUR THOUSAND TWO HUNDRED TWENTY DOLLARS ($174,220) IN THE TEXARKANA, TEXAS FARMERS' MARKET ACCOUNT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a grant in the amount of **ONE HUNDRED SEVENTY-FOUR THOUSAND TWO HUNDRED TWENTY DOLLARS ($174,220)** was received from the USDA Farmers' Market Promotion Program (FMPP) for the support of the Texarkana, Texas Farmers' Market; and

WHEREAS, these funds were not appropriated in the budget for the fiscal year ending September 30, 2019; and

WHEREAS, the budget for the fiscal year ending September 30, 2019, should be amended to appropriate **ONE HUNDRED SEVENTY-FOUR THOUSAND TWO HUNDRED TWENTY DOLLARS ($174,220)** in revenue in the Texarkana, Texas Farmers' Market account; and

WHEREAS, the budget for the fiscal year ending September 30, 2019, should be amended to appropriate **ONE HUNDRED SEVENTY-FOUR THOUSAND TWO HUNDRED TWENTY DOLLARS ($174,220)** in expenditures in the Texarkana, Texas Farmers' Market account.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

SECTION 1: That the budget estimate of the revenue and expenditures of the City of Texarkana, Texas, as prepared by the City Manager and appropriated by the City Council for the fiscal year beginning October 1, 2018, and ending September 30, 2019, be amended to reflect additional revenue in the amount of **ONE HUNDRED SEVENTY-FOUR THOUSAND TWO HUNDRED TWENTY DOLLARS ($174,220)** and additional expenditures in the amount of **ONE HUNDRED SEVENTY-FOUR THOUSAND TWO HUNDRED TWENTY DOLLARS ($174,220)** in the Texarkana, Texas Farmers' Market account.

SECTION 2: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **22nd day of October, 2018**.

ATTEST:

JENNIFER EVANS, CITY SECRETARY

BOB BRUGGEMAN, MAYOR

EXECUTIVE SUMMARY

.

The City of Texarkana, Texas and its project partners are seeking funds in the amount of $174,218.90 to continue the support of a growing downtown Farmers' Market, the continued expansion of a Mobile Market aimed at elevating food desserts, and begins its Cultural Food Diversity Initiative.

The FMLFPP funds will implement programs that will expand the downtown market season and provide better access to regionally grown agricultural products. Centered on a "Shop Us First" branding campaign, our market will work to establish itself as the first source for fresh local foods and to enhance direct sales of producer to consumer market activities. Furthermore, the Market's growth and expansion will be within in the recently designated Texas Cultural District by the Texas Commission on the Arts. Additionally, the funds will be used to increase capacity through an existing partnership with the Housing Authority of Texarkana, Texas for a Mobile Market in low to moderate income neighborhoods aimed at alleviating local food deserts.

Finally, the FMLFPP grant funds will be used to launch a Cultural Food Diversity Initiative through a partnership with the Texarkana Regional Arts and Humanities Council to provide consistent programing around the varied cultural and ethnic foods of the area. The initiative seeks to position the Market to be to be a local cultural food center, and as an extension as a regional center for agro-tourism, and a strong community member servicing low income, low access neighborhoods via the Mobile Market. In short, our proposal is about finding common ground, through common food, in a common space.

Grant Agreement Face Sheet

1. Accounting Code:	2. Vendor I.D. (EIN):	3. DUNS Number:
9000007234		062929187
4. Agreement Number: AM180100XXXXG098	**5. Type of Instrument:** Grant Agreement	**6. CFDA Number:** 10.168

7. Title of Agreement:
Farmers Market Promotion Program

8. Objective:
To increase domestic consumption of and access to locally and regionally produced agricultural products, and to develop new market opportunities for farm and ranch operations serving local markets, by developing, improving, expanding, and providing outreach, training, and technical assistance to, or assisting in the development, improvement and expansion of domestic farmers' markets, roadside stands, community-supported agriculture programs, agritourism activities, and other direct producer-to-consumer market opportunities.

9. Statement of Work:
This agreement shall be carried out by the organizational units or officials of the Federal Agency and the Recipient in the manner and subject to the conditions provided in the Agricultural Marketing Service Grants Division General Award Terms and Conditions attached hereto and made a part of this agreement.

10. Legal Authority:
The Agricultural Act of 1946 (7 U.S.C. 1621-1627), the Farmer-to-Consumer Direct Marketing Act of 1976 (7 U.S.C. 3001-3006) and the Agriculture Act of 2014 (Public Law 113-79) (2014 Farm Bill) that reauthorized, funded, expanded, and renamed the Farmers Market Promotion Program as the "Farmers' Market and Local Food Promotion Program" (7 U.S.C. 3005).

11. Federal Agency (Name and Address):	12. Recipient:	
Farmers Market Promotion Program	TEXARKANA TEXAS CITY OF PO BOX 1967 TEXARKANA, TX 75504-1967	
13. Federal Agency Project Manager: Dewell Paez Delgado, Grants Management Specialist Telephone: (202) 260-8636 Email: DEWELL.PAEZ-DELGADO@AMS.USDA.GOV	**14. Recipient Project Coordinator:** Holden Flemming, City Planner 1 - Project Manager Telephone: 903-798-3901 Email: Holden.Fleming@txkusa.org	
15. Period of Performance: September 30, 2018 through September 29, 2021	**16. Federal Agency Funding Amount:** $174,220.00	**Non-Federal Matching Amount:** $0.00

PROVISIONS

This Agreement incorporates the following:

1. Approved application and budget including any mutually agreed upon budget revisions and other changes and amendments thereto. 2. Agricultural Marketing Service Grants Division General Award Terms and Conditions (August 2017) available at https://www.ams.usda.gov/sites/default/files/media/AMSGrantsTermsandConditions.pdf. 3. 2 CFR Part 200 and 2 CFR Part 400. 4. Recipient will submit an AMS Grant Program Worksheet with each request for payment.

17. Federal Agency Representative Approval:	18. Recipient Representative Approval:
Arthur Neal Deputy Administrator Agricultural Marketing Service	Name: Shirley Jaster Title: City Manager
19. Federal Agency Representative Approval Signature: Date: Arthur Neal 09/10/2018	**20. Recipient Representative Approval Signature: Date:** Shirley Jaster 9/13/18

City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☑	Promote an Environmentally Sensitive & Livable Community
	☐	Provide a Safe Community
	☑	Deliver Quality Services
	☑	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	☑	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☑	Model a Positive City Image
	☑	Deliver Efficient Services
	☑	Cultivate Community Involvement & Access
Manage the Resources	☑	Maintain Fiscal Strength
	☑	Maximize Utilization & Resources
	☑	Invest in Infrastructure & Transportation
Develop Personnel	☑	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

Staff time required if item is approved:	Medium

Other Potential Impacts:

NONE APPLICABLE

Public Information Plan:

☐	Newspaper Notice (Required by Statute)	☐	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☑	Press Release
☐	E-News Distribution	☐	Website Notice
☑	Social Media (Twitter, Facebook, etc.)	☐	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☐	None Required	☐	

Other:

Attachment: 2018-125 Goals & Perspectives (1954 : 2018-125 ORD Amending Budget for new FMPP grant)

City of Texarkana, Texas

Version:

Briefing Sheet

Update Date: 10/16/2018 1:12 PM

Lead Department: Planning and Community Development **Action Officer:** Debbie Burk,

Subject: Ordinance No. 2018-116 rezoning a 15-acre tract of land located in the L.T. King HRS, A-327, located on East Wallace Drive approximately 0.9 miles from Leopard Drive, Agriculture to Commercial. Clint Blakey, Big Horn Properties, II, owner. Vance Liles, MTG Engineers & Surveyors, agent.

Briefing: 10/22/2018 **Public Hearing:** 11/13/2018 **Council Vote:** 11/13/2018

Item Schedule

Updates/History of Briefing:

"NOT APPLICABLE"

Executive Summary and Background Information:

Z-18-12: This is a request by Clint Blakey, Big Horn Properties, II, under contract to purchase, and MTG Engineering & Surveying, agent, to rezone a 15-acre tract of land in the L.T. King HRS, A-327, located on East Wallace Drive (approximately 0.9 miles east of Leopard Drive) from Agriculture to Commercial. This property is currently vacant land.

The adjacent zoning is Agriculture to the east and west, Jarvis Parkway to the north and outside the city limits to the south. The adjacent land use is Jarvis Parkway to the north, vacant land to the east and south and Grady T. Wallace Park to the west.

The proposed use of this property is an automobile related business. An overview for the proposed development has been provided and consists of the following:

- A 7,600 square foot metal building with architectural treatments on the front façade with future growth for an additional 4,000 square feet.
- 116 parking spaces.
- A landscaped monument style sign at the entry/exit and additional signage on the building façade.
- Security/operations lighting across the entire site. Lighting will also accommodate security cameras and some evening operations.
- Access from East Wallace Drive.

The applicant should also be aware there may be additional applicable city code/ordinance requirements including but not limited to building, subdivision, fire, drainage, water and sewer prior to the issuance of building permits.
All notification and application requirements have been met to consider this request.

City of Texarkana, Texas

Potential Options:

"None"

Fiscal Implications:

"None"

Staff Recommendation:

This area south of Jarvis Parkway and east of the park consists of a large amount of vacant undeveloped land. The proposed development will add new commercial development along the southern loop. Therefore, staff recommends for approval of this request.

Advisory Board/Committee Review:

Planning and Zoning Commission

Board/Committee Recommendation:

The Planning and Zoning Commission unanimously recommended for approval of the request.

Advisory Board/Committee Meeting Date and Minutes:

October 1, 2018

Attachments

a. 2018-116 ORD rezoning prop. on E. Wallace Dr. (DOCX)
b. 2018-116 ATTH 01 (maps)
c. 2018-116 ATTH 02 (MTG map & plat of property) (PDF)
d. 2018-116 EXH 'A' (legal description) (PDF)
e. 2018-116 Goals & Perspectives (DOCX)

Staff Coordination

Planning and Community Development	David Orr	Department Head Review	Completed	10/11/2018 2:14 PM
Deputy City Manager - Kyle Dooley	Kyle Dooley	Deputy City Manager Review	Completed	10/12/2018 3:50 PM
City Manager	Shirley Jaster	City Manager Review	Completed	10/15/2018 2:00 PM
City Council	Vicky Coopwood	Meeting	Pending	10/22/2018 6:00 PM

Meeting History

Z-18-12

ORDINANCE NO. 2018-116

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS, AMENDING THE ZONING ORDINANCE OF THE CITY OF TEXARKANA, TEXAS, BY REZONING A 15-ACRE TRACT OF LAND IN THE L.T. KING HRS, A-327, LOCATED ON EAST WALLACE DRIVE APPROXIMATELY 0.9 MILES EAST OF LEOPARD DRIVE IN THE CITY OF TEXARKANA, BOWIE COUNTY, TEXAS, FROM AGRICULTURE TO COMMERCIAL; CONTAINING A REPEALER CLAUSE; CONTAINING A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, an application has been filed requesting an amendment to the Zoning Ordinance of the City of Texarkana, Texas, to rezone a 15-acre tract of land in the L.T. King HRS, A-327 **(Exhibit "A")**, located on East Wallace Drive approximately 0.9 miles east of Leopard Drive in the City of Texarkana, Bowie County, Texas, from **Agriculture to Commercial**; and

WHEREAS, the Planning and Zoning Commission of the City of Texarkana, Texas, and the City Council of the City of Texarkana, Texas, in compliance with the laws of the State of Texas with reference to the granting of zoning classifications and changes, have given the requisite notices by publication and otherwise, and after holding hearings and affording a full and fair hearing to all property owners generally and to all persons interested and situated in the affected area and in the vicinity thereof; and

WHEREAS, after consideration of said application, the Planning and Zoning Commission of the City of Texarkana, Texas, **voted unanimously five (5) to zero (0) to recommend the application for rezoning** from **Agriculture to Commercial on a 15-acre tract of land in the L.T. King HRS, A-327 (Exhibit "A"), located on East Wallace Drive approximately 0.9 miles east of Leopard Drive** to the City Council of Texarkana, Texas; and

WHEREAS, after consideration of said application and the recommendation of the Planning and Zoning Commission, the City Council of the City of Texarkana, Texas, does hereby find that rezoning the property from **Agriculture to Commercial** in the best interest of the public health, safety, morals and general welfare of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TEXARKANA, TEXAS:

<u>SECTION 1:</u> That the Zoning Ordinance of the City of Texarkana, Texas, Ordinance No. 127-70, passed and approved on September 14, 1970, be and is hereby further amended to rezone a 15-acre tract of land in the L.T. King HRS, A-327 **(Exhibit "A")**, located on East Wallace Drive approximately 0.9 miles east of Leopard Drive in the City of Texarkana, Bowie County, Texas, from **Agriculture to Commercial.**

SECTION 2: It is further provided that in case a section, clause, sentence or part of this Ordinance shall be deemed or adjudged by a court of competent jurisdiction to be invalid, then such invalidity shall not affect, impair, or invalidate the remainder of this Ordinance.

SECTION 3: All Ordinances or parts of Ordinances in conflict herewith are specifically repealed to the extent of such conflict.

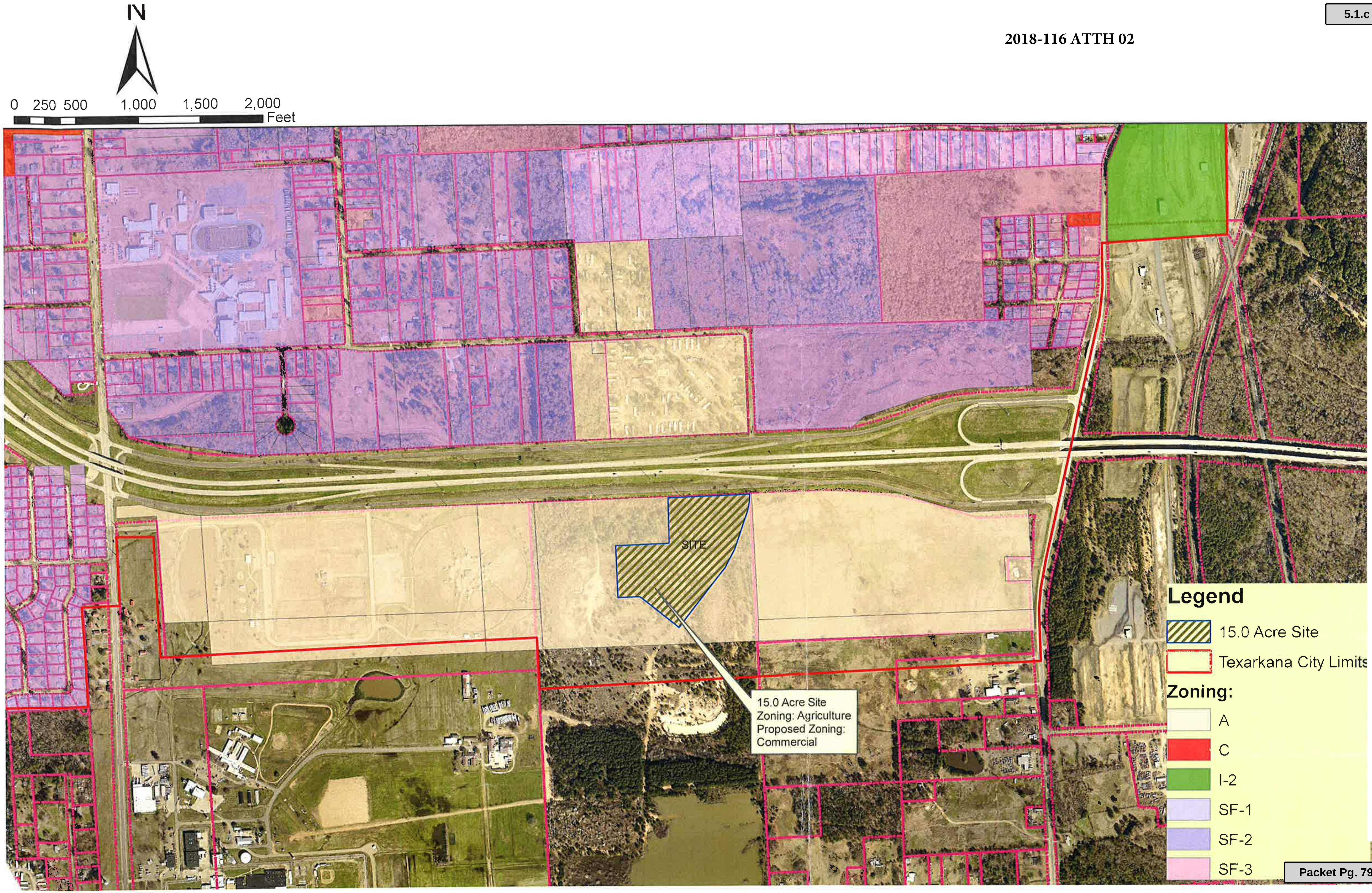
SECTION 4: That this Ordinance shall be in full force and effect from and after its passage and approval.

PASSED AND APPROVED in Regular Council Session on this the **13th day of November, 2018.**

ATTEST:

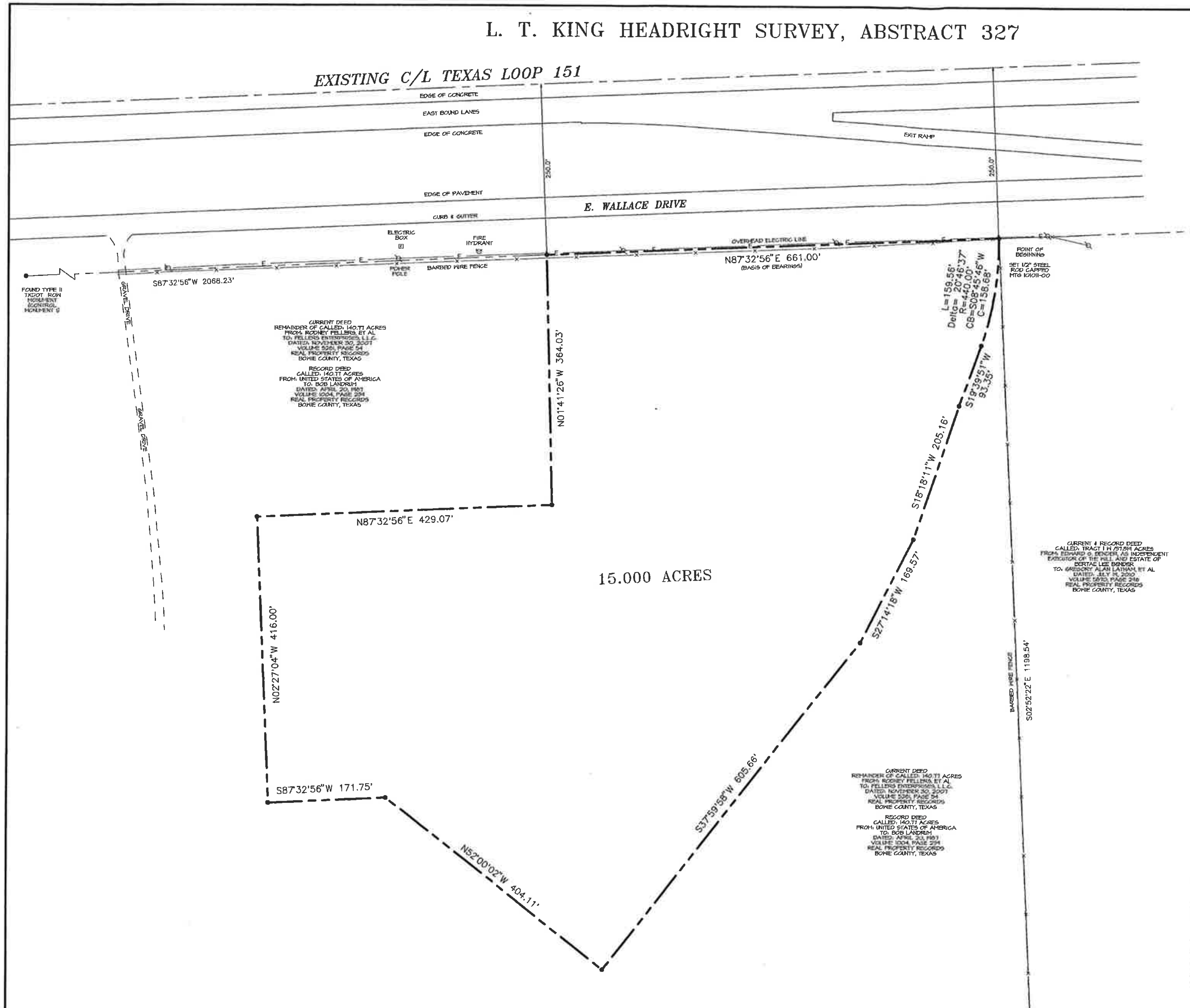
JENNIFER EVANS, CITY SECRETARY	BOB BRUGGEMAN, MAYOR

2018-116 ATTH 02



5.1.c

20108-116 ATTH 02



Property Description
15.000 Acres
Bowie County, Texas

All that certain lot, tract or parcel of land lying and situated in the L. T. King Headright Survey, Abstract 327, Bowie County, Texas, being a part of that certain tract of land described as 140.77 acres in the deed from Rodney Fellers, et al to Fellers Enterprises, LLC, dated November 30, 2007, recorded in Volume 5281, Page 54 of the Real Property Records of Bowie County, Texas, same being described as 140.77 acres by deed of record from the United States of America to Bob Landrum, dated April 20, 1987, recorded in Volume 1004, Page 239 of the Real Property Records of Bowie County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the South right-of-way line of Texas Highway Loop 151, the Northeast corner of the said 140.77 acre tract, lying in the West line of that certain tract of land described as Tract 1 with 57.319 acres in the deed from Edward G. Bender, as Independent Executor of the Will and Estate of Bertae Lee Bender to Gregory Alan Latham, et al, dated July 19, 2010, recorded in Volume 5870, Page 296 of the Real Property Records of Bowie County, Texas, and at the beginning of a circular curve, to the right, said corner bears North 87 degrees 32 minutes 56 seconds East a distance of 734.09 feet to a Type II TxDOT right-of-way monument, found for a corner, at an angle point;

THENCE in a Southwesterly direction along the arc of the said circular curve a distance of 159.56 feet, with a delta angle of 20 degrees 46 minutes 37 seconds, a radius of 440.00 feet, a chord bearing of South 08 degrees 45 minutes 46 seconds West to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at the end of said curve;

THENCE South 19 degrees 39 minutes 51 seconds West a distance of 93.35 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 18 degrees 18 minutes 11 seconds West a distance of 205.16 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 27 degrees 14 minutes 18 seconds West a distance of 169.57 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 37 degrees 59 minutes 58 seconds West a distance of 605.66 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE North 52 degrees 00 minutes 02 seconds West a distance of 404.11 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, at an angle point;

THENCE South 87 degrees 32 minutes 56 seconds West a distance of 171.75 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE North 02 degrees 27 minutes 04 seconds West a distance of 416.00 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE North 87 degrees 32 minutes 56 seconds East a distance of 429.07 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner;

THENCE North 01 degrees 41 minutes 26 seconds West a distance of 364.03 feet to a 1/2 inch steel rod, capped MTG 101011-00, set for a corner, lying in the North line of the said 140.77 acre tract and the South right-of-way line of the said Loop 151, said corner bears South 87 degrees 32 minutes 56 seconds West a distance of 2068.23 feet to a Type II TxDOT right-of-way monument (control monument), found for a reference;

THENCE North 87 degrees 32 minutes 56 seconds East (basis of bearings) a distance of 661.00 feet along the South right-of-way line of the said Loop 151 and the North line of the said 140.77 acre tract to the point of beginning and containing 15.000 acres of land, at the time of this survey.

SURVEYOR CERTIFICATE:

THIS IS TO CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND UNDER MY SUPERVISION ON AUGUST 16, 2018, THAT THIS PLAT (MAP OR DRAWING) SUBSTANTIALLY COMPLIES WITH THE CURRENT PROFESSIONAL AND TECHNICAL STANDARDS OF THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, THERE ARE NO VISIBLE IMPROVEMENTS EXCEPT AS SHOWN ON THE SURVEY PLAT.

THIS PLAT IS FOR THE INTENDED USE OF BIGHORN PROPERTIES II AS RELATES TO OWNERSHIP OR TRANSFER OF OWNERSHIP. THIS SURVEY IS NOT ASSIGNABLE OR TRANSFERABLE, MAY NOT BE REISSUED WITHOUT RE-SURVEY AND MAY BE VOID/INVALID SUBJECT TO CHANGES IN GOVERNANCE OR INTERPRETATIONS ISSUED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING, AND MAY NOT BE COPIED OR PROVIDED TO OTHER PARTIES WITHOUT THE EXPRESSED WRITTEN PERMISSION OF THE UNDERSIGNED.

JEFFREY A. WOOD
REGISTERED PROFESSIONAL LAND SURVEYOR
NO. 6220, STATE OF TEXAS
FIRM CERTIFICATE NO. 101011-00
DATE: SEPTEMBER 7, 2018

STATE OF TEXAS REGISTERED JEFFREY A. WOOD #6220 PROFESSIONAL LAND SURVEYOR

THE BEARINGS ARE BASED ON GRID NORTH WITHIN THE "TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE", NAD83 (CORS96, EPOCH 2002.0). AT THE SURFACE, WITH A BEARING OF NORTH 87 DEGREES 32 MINUTES 56 SECONDS EAST. THE COMBINED SCALE FACTOR TO GO FROM SURFACE TO GRID IS 0.999880014398. THE FOLLOWING CONTROL MONUMENTS WERE USED TO ESTABLISH THE BASIS OF BEARINGS:

CONTROL MONUMENT #1
N=7216114.8199
E=3316360.2465

CONTROL MONUMENT #2
N=7216262.9156
E=3319820.3956

NOTE:
In providing this boundary survey, no attempt has been made to obtain or show data concerning existence, size, depth, condition, capacity or location of any utility existing on the site, whether private, municipal or public owned. Subsurface and environmental conditions were not surveyed or examined or statement is made concerning the existence of underground or overhead conditions, containers or facilities that may affect the use or development of this property. Easement research was not done for this property by the surveyor, nor was a current title policy provided prior to this survey.

BOUNDARY SURVEY

15.000 ACRES IN THE
L. T. KING HEADRIGHT
SURVEY, ABSTRACT 327
BOWIE COUNTY, TEXAS

Date	Revision/Description

MTG engineers & surveyors
5450 SUMMERHILL RD.
TEXARKANA TEXAS 75501
P 409.838.8888 | F 409.832.4100
www.mtgengineers.com
© MTG 2018 TBPE NO. 354

Drawn By	Checked By	Project No.	Dwg. Date	File No.	Sheet No.
BLB	JN	186059	9/06/2018		

X:\2018 Projects\186059 Site Selection Support\02 Surveying\186059.pro
Fri Sep 7, 2018 10:20AM

Attachment: 2018-116 ATTH 02 (MTG map & plat of property) (1952 : 2018-116 ORD Rezoning on East Wallace Dr. from A to C)

N87°32'56" E 734.09'

EXHIBIT 'A'

FOUND TYPE II TXDOT ROW MONUMENT (CONTROL MONUMENT 2)

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15.000 Acres
Bowie County, Texas

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City of Texarkana, Texas

Developing Perspectives and Goals Pending Approval by the City Council:

Perspectives		Goals
Serve the Community	☐	Promote an Environmentally Sensitive & Livable Community
	☐	Provide a Safe Community
	☐	Deliver Quality Services
	☐	Foster a Healthy Community
Run the Operations	☐	Enhance Community Preparedness & Responsiveness
	☐	Maximize Partnership Opportunities
	☐	Provide Courteous & Responsive Customer Service
	☑	Model a Positive City Image
	☐	Deliver Efficient Services
	☑	Cultivate Community Involvement & Access
Manage the Resources	☐	Maintain Fiscal Strength
	☐	Maximize Utilization & Resources
	☑	Invest in Infrastructure & Transportation
Develop Personnel	☐	Develop a Skilled & Diverse Workforce
	☐	Create a Positive & Rewarding Work Culture

Perspectives and Goals Additional Comments:

NONE

Resource Impact:

NA	No Additional

Other Potential Impacts:

NA

Public Information Plan:

☑	Newspaper Notice (Required by Statute)	☑	Public Hearing (Required by Statute)
☐	Public Forum/Input Session	☐	Press Release
☐	E-News Distribution	☑	Website Notice
☐	Social Media (Twitter, Facebook, etc.)	☑	Special Mailing
☐	Flyers Posted	☐	Banners Posted
☐	Survey	☐	Automated Phone Call
☑	None Required	☑	Sign Posted

Other:

Attachment: 2018-116 Goals & Perspectives (1952 : 2018-116 ORD Rezoning on East Wallace Dr. from A to C)